Definitions.

5. In this Act, unless the context otherwise requires—

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

The expression "prescribed" means prescribed by the Local Government Board;

The expression "county council" shall not include the council of a county borough.

Short title.

6. This Act shall apply to Ireland only and may be cited as the Polling Districts and Registration of Voters (Ireland) Act, 1908.

.....

CHAPTER 36.

An Act to consolidate the enactments with respect to Small Holdings and Allotments in England and Wales.

[1st August 1908.]

BE it enacted by the King'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:

PART I.

SMALL HOLDINGS.

Provision of Small Holdings.

Powers and duties of providing small holdings.

1. A county council may if they are of opinion that there is such a demand for small holdings in their county as justifies them in putting into operation this Part of this Act, and shall, if so required by a scheme under this Act, provide small holdings for persons who desire to buy or lease and will themselves cultivate the holdings.

Schemes as to the provision of Small Holdings.

Appointment of Small Holdings Commissioners, &c.

2.—(1) With a view to extending the provision of small holdings, there shall continue to be Small Holdings Commissioners (herein-after referred to as "the Commissioners"), and the Board of Agriculture and Fisheries (herein-after referred to as "the Board") may appoint two or more persons possessed of a knowledge of agriculture to be Commissioners and may appoint such other officers for the purposes of this Act as the Board may, with the consent of the Treasury, determine.

(2) There shall continue to be paid out of money provided by Parliament to the Commissioners and officers so appointed such salaries or remuneration as the Treasury may from time to time determine; and all expenses incurred by those Commissioners and officers in the execution of their duties under this Act, to

such amount as may be sanctioned by the Treasury, shall (except as otherwise expressly provided by this Act) continue to be defrayed out of money provided by Parliament.

Inquiries and reports by Commissioners.

3.—(1) The Commissioners, acting under the directions of the Board, shall ascertain the extent to which there is a demand for small holdings in the several counties or would be a demand if suitable land were available, and the extent to which it is reasonably practicable, having regard to the provisions of this Act, to satisfy any such demand, and for that purpose shall confer with the county councils and may co-operate with such other authorities, associations, and persons as they think best qualified to assist them, and take such other steps as they think necessary.

(2) The council of any county, borough, district, or parish may make representations to the Commissioners in respect of any such matters as aforesaid, and it shall be the duty of every council to furnish the Commissioners with such information, and to give them such other assistance, as they may reasonably require for the purposes of this section.

(3) The Commissioners shall report the information acquired by them respecting any county to the Board, and shall state whether it is desirable, in the opinion of the Commissioners, that such a scheme as is herein-after mentioned should be made, and may indicate the nature of the proposals which the Commissioners consider ought to be embodied in the scheme.

(4) If in the course of their inquiries the Commissioners receive any information as to the existence of a demand for allotments, they shall communicate the information to the councils of the county, and of the borough, urban district, or parish concerned.

Preparation of draft schemes.

4.—(1) Where the Board, after considering the report and such representations as aforesaid as respects any county, are of opinion that it is desirable that a scheme should be made, the Board shall forward the report of the Commissioners with such modifications or observations (if any) as the Board think desirable to the county council, and it shall be the duty of the county council to prepare one or more draft schemes to give effect to the report, subject to such modifications (if any) as aforesaid, or to such other modifications as the Board may make after considering any representations submitted to them by the county council, and in preparing the drafts the council shall have regard to the proposals (if any) of the Commissioners indicated in the report.

(2) If the county council decline to undertake this duty, or within six months after receiving the report or within such extended time as may be allowed by the Board, fail to prepare such one or more draft schemes as appear to the Board desirable, the Board may direct the Commissioners to prepare one or more draft schemes.

(3) A county council, if they think fit, may, without receiving any such report as aforesaid, prepare one or more draft schemes for the provision of small holdings for their county.

(4) A draft scheme under this section may specify—

(*a*) the localities in which land is to be acquired for small holdings;

(*b*) the approximate quantity of land to be acquired, and the number, nature, and size of the small holdings to be provided, in each locality;

(*c*) whether, and to what extent, grazing or other similar rights, to be defined in the scheme, should be attached to the small holdings created in pursuance of the scheme, and, if so, the approximate quantity of land or extent and nature of the rights to be acquired for the purpose;

(*d*) the time within which the scheme or any part thereof is to be carried into effect;

and the scheme may contain such incidental, consequential, or supplemental provisions (including provisions as to the subsequent variation of the scheme) as may appear necessary or proper for the purposes of the scheme.

(5) Where the Commissioners report or the county councils concerned are of opinion that a scheme should be made affecting two or more counties, the scheme may be prepared by the councils jointly, and may provide for joint action being taken by the councils.

Procedure as to schemes.

5.—(1) A copy of any draft scheme shall if prepared by a county council be sent to the Board, and if prepared by the Commissioners be sent to the Board and to any county council concerned, and the draft scheme and any modifications therein which the Board may propose to make shall be published and advertised together with notice of the time within and manner in which objections are to be sent to the Board in such manner as the Board think best adapted for informing the persons affected and for insuring publicity.

(2) The Board shall consider the draft scheme and any objections thereto duly made, and may in any case and shall if the county council object to the scheme, or, in the case of a scheme prepared by the council, to any modifications therein which the Board propose to make, hold a public local inquiry, at which the county council, and such other persons as the person holding the inquiry may in his discretion think fit to allow, shall be permitted to appear and be heard.

(3) The Board, after considering the objections and the report of the person holding the inquiry (if any), may settle and confirm the scheme either without modification or subject to such modifications as the Board think fit, or may annul the scheme.

Duty of councils to carry schemes into effect.

6.—(1) It shall be the duty of a county council on which obligations are imposed by a scheme to carry them into effect within such time as may be specified in the scheme, or within such further time as may be allowed by the Board, and for that purpose the council may exercise any of the powers conferred on them by the provisions of this Act relating to small holdings.

(2) If the county council fail so to fulfil their obligations, the Board shall by order direct the Commissioners to take such steps as may be necessary for carrying the scheme into effect, and upon such order being made the Commissioners shall for the purpose have all the powers of a county council under the provisions of this Act relating to small holdings, and those provisions shall apply as if references to the Commissioners were substituted for references to a county council:

Provided that such expenses of the Commissioners as the Board certify to have been incurred by the Commissioners in the exercise of such powers in relation to any scheme and to be properly payable by the county council shall on demand be repaid to the Board by the county council in default out of the county fund, and shall be recoverable as a debt due to the Crown, and such sums as the Board certify to have been received by the Commissioners in respect of any land acquired shall be paid to the council.

(3) Any order made by the Board directing the Commissioners to carry a scheme into effect shall be laid before both Houses of Parliament as soon as may be after it is made.

(4) If it appears to the Board that the carrying out of a scheme under this Act has resulted or is likely to result in a loss, the Board may, with the consent of the Treasury, pay or undertake to pay out of the Small Holdings Account the whole or any part of that loss.

Powers of County Councils in relation to the provision of Small Holdings.

Power to acquire land for small holdings.

7.—(1) A county council may, for the purpose of providing small holdings for persons who desire to buy or lease and will themselves cultivate the holdings, by agreement purchase or take on lease land, whether situate within or without their county.

(2) If a county council are unable to acquire by agreement and on reasonable terms suitable land for the purpose of providing small holdings for persons who desire to lease small holdings, they may for that purpose acquire land compulsorily in accordance with the provisions of this Act relating to compulsory acquisition of land.

(3) A county council shall not acquire land for small holdings save at such price or rent that, in the opinion of the council, all expenses incurred by the council in relation to the land will be recouped out of the purchase money for the land sold by the council, or in the case of land let out of the rent, and the

council shall fix the purchase money or rent at such reasonable amount as will, in their opinion, guard them against loss.

Adaptation of land for small holdings.

8.—(1) A county council may, if they think fit, before sale or letting, adapt for small holdings any land acquired by them for that purpose, by dividing and fencing it, making occupation roads, and executing any other works, such as works for the provision of drainage or water supply, which can in the opinion of the council be more economically and efficiently executed for the land as a whole.

(2) A county council may also, if they think fit, as part of the agreement for the sale or letting of a small holding, adapt the land for a small holding by erecting thereon such buildings, or making such adaptations of existing buildings, as in their opinion are required for the due occupation of the holding, and cannot be made by the purchaser or tenant.

Sale or letting of small holdings.

9.—(1) A county council shall apportion the total cost of the acquisition of the land, and of any adaptation thereof, among the several holdings in such manner as seems just, and shall, save as herein-after mentioned, offer the small holdings for sale or letting in accordance with rules under this Part of this Act.

(2) A county council shall have power—

(*a*) to sell or to let one or more small holdings to a number of persons working on a co-operative system, provided such system be approved by the county council; and

(*b*) with the consent of the Board, to let one or more small holdings to any association formed for the purposes of creating or promoting the creation of small holdings, and so constituted that the division of profits amongst the members of the association is prohibited or restricted.

(3) The cost of acquisition and adaptation shall for the purposes of this section include every expense incurred by the council in relation to the land, inclusive of any allowance to any officers of the council for work done in relation thereto.

Rules as to mode and conditions of sale and letting.

10.—(1) A county council acquiring land for small holdings shall make rules for carrying into effect the provisions of this Act relating to small holdings and in particular—

(*a*) as to the manner in which holdings are to be sold or let or offered for sale or letting; and

(*b*) as to the notice to be given of the offer for sale or letting; and

(*c*) for guarding against any small holding being let or sold to a person who is unable to cultivate it properly, and otherwise for securing the proper cultivation of a holding; and

(*d*) for prescribing the terms and conditions on or subject to which small holdings are to be sold or let by the county council.

(2) All rules made under this section shall be subject to confirmation by the Board.

Regulations as to purchase money and sale.

11.—(1) The purchase money for each small holding sold by a county council shall include the costs of registration of title, but shall not include any expense incurred by the purchaser for legal or other advice or assistance.

(2) A purchaser shall, within such time, not less than one month after the agreement for purchase, as is fixed by rules under this Act, complete the purchase.

(3) On such completion he shall pay not less than one fifth of the purchase money.

(4) A portion representing not more than one fourth of the purchase money may, if the county council think fit, be secured by a perpetual rentcharge which shall be redeemable in manner directed by section forty-five of the Conveyancing and Law of Property Act, 1881, with respect to rentcharges to which that section applies.

44 & 45 Vict. c. 41.

(5) The residue (if any) of the purchase money shall be secured by a charge on the holding in favour of the council, and shall either be repaid by half-yearly instalments of principal with such interest, and within such term not exceeding fifty years from the date of the sale, as may be agreed on with the council, or shall, if the purchaser so requires, be repaid with such interest and within such term as aforesaid by a terminable annuity payable by equal half-yearly instalments. The amount for the time being unpaid may at any time be discharged, and any such terminable annuity may at any time be redeemed, in accordance with tables fixed by the county council.

(6) A council may, if they think fit, agree to postpone for a term not exceeding five years the time for payment of all or any part of an instalment either of principal or interest or of a terminable annuity, in consideration of expenditure by the purchaser which, in the opinion of the council, increases the value of the holding, but shall do so on such terms as will, in their opinion, prevent them from incurring any loss.

(7) A small holding may be sold subject to such rights of way or other rights for the benefit of other small holdings as the council consider necessary or expedient.

Conditions affecting small holdings.

12.—(1) A small holding sold by a county council under this Act or any enactment repealed by this Act shall for a term of twenty years from the date of the sale, and thereafter so long as any part of the purchase money remains unpaid, be held subject to the following conditions :—

(*a*) any periodical payments due in respect of the purchase money shall be duly made ;

(*b*) the holding shall not be divided, subdivided, assigned, let, or sublet without the consent of the county council ;

(*c*) the holding shall be cultivated by the owner or occupier as the case may be, and shall not be used for any purpose other than agriculture ;

(*d*) not more than one dwelling-house shall be erected on the holding;

(*e*) any dwelling-house erected on the holding shall comply with such requirements as the county council may impose for securing healthiness and freedom from overcrowding;

(*f*) no dwelling-house or building on the holding shall be used for the sale of intoxicating liquors;

(*g*) in the case of any holding on which, in the opinion of the county council, a dwelling-house ought not to be erected, no dwelling-house shall be erected on the holding without the consent of the county council:

Provided that a county council may, if they think fit, relax the condition that not more than one dwelling-house shall be erected on a holding, if in their opinion such relaxation will be for the benefit of that or adjacent small holdings provided by the council, but so that the council shall not authorise more than one dwelling-house to be erected for occupation with any one small holding.

(2) If any such condition is broken, the council may, after giving the owner an opportunity of remedying the breach (if it is capable of remedy), cause the holding to be sold.

(3) If, on the decease of the owner while the holding is subject to the conditions imposed by this section, the holding would, by reason of any devise, bequest, intestacy, or otherwise, become subdivided, the council may require the holding to be sold within twelve months after such decease to some one person, and, if default is made in so selling the holding, the council may cause the holding to be sold.

(4) Where under either of the two preceding subsections a county council have power to cause or require a small holding to be sold, the council may, in the event of their requiring such holding for the purposes of small holdings, by notice in writing require the holding to be sold to themselves at such price as, in default of agreement, may be determined by arbitration, and thereupon the council shall, after such date as may be specified by the notice, and on production to the registrar of the land registry of evidence of service of the notice and of the payment of the sum so agreed or determined, or of the tender of such payment, be registered as the proprietor of the land in place of the registered proprietor, and such registration shall operate as a registration on a transfer for valuable consideration under the Land Transfer Acts, 1875 and 1897.

38 & 39 Vict. c. 87.
60 & 61 Vict. c. 65

A notice for the purposes of this subsection shall be deemed to be sufficiently served if sent by registered post addressed to the owner or the personal representatives of the deceased owner at his registered address or at his last known place of abode.

This subsection shall not apply in the case where a small holding has been let by a county council.

(5) Any sale by a county council under this section may be made either subject to the charge in respect of purchase money or free, wholly or partly, from that charge, and in either case the provisions of this Act with respect to the purchase money shall apply in like manner as if the sale were the first sale of the holding.

(6) The proceeds of the sale shall be applied in discharge of any unpaid purchase money for the holding, or redemption of any rentcharge or terminable annuity which is not to continue a charge on the holding, and, subject as aforesaid, shall be paid to the person appearing to the council to be entitled to receive the same.

(7) A county council may, under special circumstances, to be recorded in their minutes, sell or consent to the sale under this section of a small holding free from all or any of the conditions imposed by this section, and may give such consent on such terms as they think fit.

(8) A small holding let by a county council shall be held subject to the conditions on which it would under this section be held if it were sold, except so far as those conditions relate to the purchase money, and except so far as is otherwise expressly provided by this section; and, if any such condition or any term of the letting is broken, the council may, after giving the tenant an opportunity of remedying the breach (if it is capable of remedy), determine the tenancy.

(9) Nothing in or done under this section shall derogate from the effect of any building or sanitary byelaws for the time being in force.

Registration of title to small holdings. 38 & 39 Vict. c. 87. 60 & 61 Vict. c. 65.

13.—(1) Where a county council have purchased land for small holdings, they shall apply to be registered as proprietors thereof under the Land Transfer Acts, 1875 and 1897, and may be registered as proprietors of the land with any title authorised by those Acts.

(2) When a county council, after having been so registered, transfer any such land to a purchaser of a small holding, the purchaser shall be registered as proprietor of the land with an absolute title, subject only to such incumbrances as may be created under this Act; and in any case the remedy of any person claiming by title paramount to the county council in respect either of title or incumbrances shall be in damages only, and such damages shall be recoverable against the county council.

(3) Rules under the Land Transfer Acts, 1875 and 1897, may—

(*a*) adapt those Acts to the registration of small holdings, with such modifications as appear to be required; and

(*b*) on the application and at the expense of a county council, provide, by the appointment of local agents or otherwise, for the carrying into effect the objects of this section.

List to be kept by county council.

14. A county council shall keep a list of the owners and occupiers of small holdings sold or let by them, and a map or plan showing the size, boundaries, and situation of each small holding so sold or let.

Right of purchase, if land diverted from agriculture.

15. If, at any time after the restrictive conditions imposed by this Act have ceased to attach to a small holding, the owner of the holding desires to use the holding for purposes other than agriculture, he shall before so doing, whether the holding is situate within a town or built upon or not, offer the holding for sale, first to the county council from whom the holding was purchased, and secondly to the person or persons (if any) then entitled to the lands from which the holding was originally severed, and sections one hundred and twenty-seven to one hundred and thirty of the Lands Clauses Consolidation Act, 1845, shall apply as if the owner of the small holding were the promoter of the undertaking, and the holding were superfluous lands within the meaning of those sections.

8 & 9 Vict. c. 18.

Letting of land unsold, and sale of superfluous or unsuitable land.

16.—(1) A county council shall, if practicable, sell or let as small holdings, and in accordance with this Act, any land acquired by them for small holdings, but, if the council are of opinion that any such land is not needed, or is unsuitable, for small holdings, or cannot be sold or let under the provisions of this Act, or that some more suitable land is available, they may sell or let the land otherwise than under those provisions, or exchange the land for other land more suitable for small holdings, and may pay or receive money for equality of exchange, and may erect such buildings or execute such other works as will in the opinion of the council enable the land to be sold or let without loss.

(2) The council may also, while any sale or lease of a holding is pending, temporarily let or manage the holding for such time and in such manner as they think expedient.

(3) Sections one hundred and twenty-eight to one hundred and thirty-two of the Lands Clauses Consolidation Act, 1845 (relating to the right of pre-emption of superfluous lands), shall apply upon any sale in pursuance of this section before any such buildings or works as aforesaid are erected or executed on the land proposed to be sold, but, save as aforesaid, the provisions of the Lands Clauses Consolidation Act, 1845, with respect to the sale of superfluous lands shall not apply.

8 & 9 Vict. c. 18.

Restrictions on powers of council.

17.—(1) A county council shall not take any proceedings under the provisions of this Act relating to small holdings whereby the annual charge for the time being on the county fund, for the purposes of those provisions and of any enactment repealed by this Act, including the annual payments in respect of the loans raised for those purposes, is, in the opinion of the council, likely to exceed in any one year the amount produced by a rate of a penny in the pound, and, where the said charge at any time is equal or nearly equal to that amount, no further land

shall be purchased for small holdings until the charge has been decreased so as to admit of the further purchase without the charge exceeding the said amount.

(2) For the purposes of this section the expression "charge" means the net charge on the county fund calculated in accordance with regulations made by the Local Government Board after taking into account all receipts from or on account of small holdings or otherwise under the provisions of this Act relating to small holdings.

Delegation of powers to councils of boroughs or urban districts.

18. A county council may make arrangements with the council of any borough or urban district in the county for the exercise by the council of that borough or district, as agents for the county council, on such terms and subject to such conditions as may be agreed on, of any powers of the county council in respect of the acquisition, adaptation, and management of small holdings for the borough or district, and the council of the borough or district may, as part of the arrangement, undertake to pay the whole or any part of the loss (if any) incurred in connexion with those small holdings, and any sum payable in pursuance of any such undertaking shall be defrayed as part of the general expenses of the council in the execution of the Public Health Acts.

Loans by County Councils to Tenants purchasing Small Holdings.

Power of county council to advance money for purchase of small holdings.

19.—(1) Where the tenant of a small holding has agreed with his landlord for the purchase of the holding, the county council of the county in which the holding or any part of it is situate may, if they think fit, advance to the tenant on the security of the holding an amount not exceeding four-fifths of the purchase money thereof.

(2) The provisions of this Act with respect to the purchase money secured by a charge on a small holding sold by a county council, and with respect to any small holding so sold, shall apply to an advance made and a holding purchased under this section, as if the advance was the purchase money, save that the county council shall not guarantee the title of the purchaser of the holding.

(3) No advance shall be made by a county council under this section, unless they are satisfied that the title to the holding is good, that the sale is made in good faith, and that the price is reasonable.

Powers of Board of Agriculture and Fisheries.

Power of Board to provide small holdings.

20. The Board may, if after inquiry they think it advisable to do so with a view to demonstrating the feasibility of the establishment of small holdings in any locality, exercise the powers conferred on county councils by the provisions of this Act relating to small holdings (except the powers of acquiring

land compulsorily and of borrowing), and those provisions shall apply as if references to the Board were substituted for references to a county council; but the expenses of the Board shall be defrayed out of, and their receipts paid into, the Small Holdings Account, and no part thereof shall be paid out of any rate.

Power of Board to repay part of expenses incurred by council.

21. The Board may, if they think fit, and subject to regulations made by the Board with the approval of the Treasury, repay or undertake to repay to a county council, out of the Small Holdings Account, the whole or any part of the expenses incurred by the council in proceedings in relation to the acquisition of land for the purposes of small holdings, and the amount so repaid shall not be treated as part of the costs incurred by the council in relation to land for the purposes of sections seven and nine of this Act, but nothing in this section shall authorise the repayment of any part of any purchase money, compensation, or rent payable in respect of the land.

Appointment of advisory and managing committees by Board.

22. Where the Commissioners acting in default of a county council, or the Board for the purpose of demonstrating the feasibility of the establishment of small holdings, exercise the powers of a county council under the provisions of this Act relating to small holdings, the Board may appoint such advisory and managing committees as they think fit, with such powers and duties as may be conferred or imposed on them, and may, with the consent of the Treasury, pay out of the Small Holdings Account all reasonable travelling and out-of-pocket expenses of the members of committees so appointed:

Provided that where the expenses are incurred for the purposes of the powers exercised by the Commissioners acting in default of a county council, those expenses shall be treated as expenses incurred by the Commissioners in the exercise of the powers of the county council.

PART II.

ALLOTMENTS.

Provision of Allotments.

Duty of certain councils to provide allotments.

23.—(1) If the council of any borough, urban district, or parish are of opinion that there is a demand for allotments for the labouring population in the borough, urban district, or parish, and that such allotments cannot be obtained at a reasonable rent and on reasonable conditions by voluntary arrangement between the owners of land suitable for such allotments and the applicants for the same, the council shall provide a sufficient number of allotments, and shall let such allotments to persons belonging to the labouring population resident in the borough, district, or parish, and desiring to take the same.

(2) On a representation in writing to the council of any borough, urban district, or parish, by any six registered parliamentary electors or ratepayers resident in the borough, urban

district, or parish, that the circumstances of the borough, urban district, or parish are such that it is the duty of the council to take proceedings under this Part of this Act therein, the council shall take such representation into consideration.

(3) For the purpose of this section, the expression "reasonable rent" means the rent, exclusive of rates, taxes, and tithe rent-charge, which a person taking an allotment might reasonably be expected to pay, taking one year with another, to a landlord, having regard to the value of similar land in the neighbourhood, to the extent and situation of allotment, to the expenses of the adapting the land to the purposes of the allotment, and to the repairs and other outgoings payable by the landlord, and to the cost and risk of collecting the rents of and otherwise managing allotments.

(4) The duty of a council to provide allotments under this Act shall not include the duty of providing allotments exceeding one acre in extent.

Duty of county councils to act in default of district and parish councils.

24.—(1) It shall be the duty of a county council to ascertain the extent to which there is a demand for allotments in the several urban districts (other than boroughs) and rural parishes in the county, or would be a demand if suitable land were available, and the extent to which it is reasonably practicable, having regard to the provisions of this Act, to satisfy any such demand, and for that purpose to co-operate with such authorities, associations, and persons as they think best qualified to assist them, and take such other steps as they think necessary.

(2) The county council, if satisfied that the circumstances are such that land for allotments should be acquired by them under this section, shall pass a resolution to that effect, and thereupon the powers and duties of the district or parish council under the provisions of this Act relating to allotments shall be transferred from that council to the county council, and the county council, in substitution for that council, shall proceed to acquire land in accordance with this Act, and otherwise execute this Act in the district or parish:

Provided that this section shall not affect the property in, or any powers or duties of the district or parish council in relation to, any land which, before the passing of the resolution, was acquired by the district or parish council under this Act, or any enactment repealed by this Act.

(3) Where the powers of the district or parish council are, by virtue of this section, transferred to the county council, the following provisions shall have effect:—

(*a*) The provisions of this Act relating to allotments shall apply with the modifications necessary for giving effect to this section:

(*b*) The county council may borrow for the purposes of those provisions subject to the conditions, in the manner, and on the security of the rate, subject to, in, and

on the security of which the district or parish council might have borrowed under those provisions. The council shall have power to charge the said rate with the repayment of the principal and interest of the loan, and the loan with the interest thereon shall be repaid by the district or parish council in like manner, and the charge shall have the like effect, as if the loan were lawfully raised and charged on that rate by the district or parish council:

(*c*) The county council shall keep separate accounts of all receipts and expenditure under this section:

(*d*) All sums received by the county council in respect of any land acquired under this section or the corresponding provision of any enactment repealed by this Act, otherwise than from any sale or exchange, in so far as they are not required for the payment of expenses incurred by them in respect of such land, shall be paid to the district or parish council:

(*e*) The county council may delegate to the district or parish council any powers under this Act relating to the management of the allotments, and the letting and use thereof, and the recovery of the rent and of possession thereof; and, subject to the terms of the delegation, all expenses and receipts arising in the exercise of the powers so delegated shall be paid and dealt with as expenses and receipts of the district or parish council under this Act:

(*f*) The county council, on the request of the district or parish council, may, by order under their seal, transfer to that council all or any of the powers, duties, property, and liabilities vested in and imposed on the council by virtue of this section or the corresponding provision of any enactment repealed by this Act, as regards the district or parish, and the property so transferred shall be deemed to have been acquired by that council under this Act, and that council shall act accordingly.

(4) If the Board are, in relation to any urban district (other than a borough) or rural parish, satisfied, after holding a local inquiry at which the county council and the council of the district or parish, and such other persons as the person holding the inquiry may in his discretion think fit to allow, shall be permitted to appear and be heard, that the county council have failed to fulfil their obligations under this section, the Board may by order transfer to the Commissioners all or any of the powers of the county council under this section in relation to the district or parish, and this section shall apply as if references to the Commissioners were substituted for references to the county council and with such other adaptations as may be made by the order.

Powers of Councils in relation to the provision of Allotments.

Acquisition of land for purpose of Act.

25.—(1) The council of a borough, urban district, or parish may, for the purpose of providing allotments, by agreement purchase or take on lease land, whether situate within or without their borough, district, or parish.

(2) If a council are unable to acquire by agreement, and on reasonable terms, suitable land for the purpose of allotments, they may acquire land compulsorily in accordance with the provisions of this Act relating to compulsory acquisition of land.

(3) A council shall not under this Act acquire land for allotments save at such price or rent that in their opinion all expenses, except such expenses as are incurred in making roads to be used by the public, incurred by them in acquiring the land and otherwise in relation to the allotments, may reasonably be expected to be recouped out of the rents obtained in respect thereof.

Improvement and adaptation of land for allotments.

26.—(1) The council of a borough, urban district, or parish may improve any land acquired by them for allotments and adapt the same for letting in allotments, by draining, fencing, and dividing the same, acquiring approaches, making roads and otherwise, as they think fit, and may from time to time do such things as may be necessary for maintaining such drains, fences, approaches, and roads, or otherwise for maintaining the allotments in a proper condition.

(2) The council may also adapt the land for allotments by erecting buildings and making adaptations of existing buildings, but so that not more than one dwelling-house shall be erected for occupation with any one allotment; and no dwelling-house shall be erected for occupation with any allotment of less than one acre.

Provisions as to letting of allotments.

27.—(1) The rents of the allotments shall be fixed at an amount not less than such as may reasonably be expected to ensure the council providing the allotments from loss; but in calculating such loss any expenses incurred in an unsuccessful attempt to acquire land for allotments shall be excluded and, subject as aforesaid, such rents may be from time to time charged as are reasonable, having regard to the agricultural value of the land, and not more than a quarter's rent shall be required to be paid in advance in any case where it is deemed necessary by the council to require the payment of rent in advance.

(2) The council providing the allotments shall, for the purposes of all rates and taxes, and all tithe rentcharge payable by an occupier, be deemed to be the occupiers of the allotments which are let, but they shall cause the sums from time to time paid by way of such rates, taxes, and tithe rentcharge in respect of the allotments to be apportioned among them, and cause the sum so apportioned in respect of each allotment to be certified to the tenant thereof, and such sum shall be added to the rent

otherwise payable by the tenant in respect of such allotment, and shall be deemed to be part of the rent, and be recoverable accordingly:

Provided that for the purposes of the parliamentary franchise, and the municipal and all other local franchises, the tenants shall notwithstanding this provision be deemed to be the occupiers, and such rates shall be deemed to have been paid by them.

(3) One person shall not hold any allotment or allotments acquired under this Part of this Act, or any enactment hereby repealed, exceeding five acres:

Provided that any part of the land acquired by a council for the purposes of allotments which exceeds five acres may be adapted for letting and let as an allotment, if the county council are satisfied by the council that it is convenient and desirable that it should be so let and consent to such letting accordingly.

(4) An allotment shall not be sublet.

(5) If at any time an allotment cannot be let in accordance with the provisions of this Act and the rules made thereunder, the same may be let to any person whatever at the best annual rent which can be obtained for the same, without any premium or fine, and on such terms as may enable possession thereof to be resumed within a period not exceeding twelve months if it should at any time be required to be let under the provisions aforesaid.

(6) A council shall have the same power of letting one or more allotments to persons working on a co-operative system or to an association formed for the purposes of creating or promoting the creation of allotments as may be exercised as respects small holdings by a county council.

Rules as to letting allotments.

28.—(1) Subject to the provisions of this Act, a borough, urban district, or parish council may make such rules as appear to be necessary or proper for regulating the letting of allotments under this Act, and for preventing any undue preference in the letting thereof, and generally for carrying the provisions of this Part of this Act into effect.

(2) Rules under this section may define the persons eligible to be tenants of allotments, the notices to be given for the letting thereof, the size of the allotments, the conditions under which they are to be cultivated, and the rent to be paid for them.

(3) All such rules shall make provision for reasonable notice to be given to a tenant of any allotment of the determination of his tenancy.

Rules under this section shall not be of any force unless and until they have been confirmed by the Board in like manner and subject to the like provisions as in the case of byelaws required to be confirmed by the Local Government Board under the Public Health Acts.

(4) Rules for the time being in force under this section shall be binding on all persons whatsoever; and the council shall cause them to be from time to time made known, in such manner as the council think fit, to all persons interested, and shall cause a copy thereof to be given gratis to any inhabitant of the district or parish demanding the same.

Management of allotments.

29.—(1) The council of a borough, urban district, or parish may from time to time appoint, and, when appointed, remove allotment managers of land acquired by the council for allotments, and the allotment managers shall consist either partly of members of the council and partly of other persons, or wholly of other persons, so that in either case such other persons be persons residing in the locality and contributing to the rate out of which the expenses of the council under this Act are paid.

(2) The proceedings and powers of allotment managers shall be such as, subject to the provisions of this Act, may be directed by the council; the allotment managers may be empowered by the council to do anything in relation to the management of the allotments which the council are authorised to do and to incur expenses to such amount as the council authorise, and any expenses properly so incurred shall be deemed to be expenses of the council under this Act.

Recovery of rent and possession of allotments.

30.—(1) The rent for an allotment let by a council in pursuance of this Act, and the possession of such an allotment in the case of any notice to quit, or failure to deliver up possession thereof as required by law, may be recovered by the council as landlords, in the like manner as in any other case of landlord and tenant.

(2) If the rent for any allotment is in arrear for not less than forty days, or if it appears to the council that the tenant of an allotment not less than three months after the commencement of the tenancy thereof has not duly observed the rules affecting the allotment made by or in pursuance of this Act, or is resident more than one mile out of the borough, district, or parish for which the allotments are provided, the council may serve upon the tenant, or, if he is residing out of the borough, district or parish, leave at his last known place of abode in the borough, district, or parish, or fix in some conspicuous manner on the allotment, a written notice determining the tenancy at the expiration of one month after the notice has been so served or affixed, and thereupon the tenancy shall be determined accordingly:

Provided that in every such case the council in default of agreement between the incoming and outgoing tenant shall on demand pay to the tenant whose tenancy is so determined any compensation due to him as an outgoing tenant, and the amount of such compensation shall be assessed by an arbitrator appointed by the council or, if the tenant so elect, either by an arbitrator

50 & 51 Vict. c. 26. 8 Edw. 7. c. 28.

appointed under the Allotments and Cottage Gardens Compensation for Crops Act, 1887, or under the Agricultural Holdings Act, 1908.

(3) Upon the recovery of an allotment from any tenant, the court directing the recovery may stay delivery of possession until payment of the compensation (if any) due to the outgoing tenant has been made or secured to the satisfaction of the court.

List of allotments.

31.—(1) The council of a borough, urban district, or parish shall cause a list to be kept showing the particulars of the tenancy, acreage, and rent of every allotment let, and of the unlet allotments.

(2) The list shall be open to the inspection of ratepayers in the borough, district, or parish for which the allotments have been provided, in such manner as may be provided by the rules made under this Act by the council, and any ratepayer of such borough, district, or parish, without paying any fee, may take copies of or extracts from the list.

Sale of superfluous or unsuitable land.

32.—(1) Where the council of any borough, urban district, or parish are of opinion that any land acquired by them for allotments or any part thereof is not needed for the purpose of allotments, or that some more suitable land is available, they may, with the sanction of the county council, sell or let such land otherwise than under the provisions of this Act, or exchange the land for other land more suitable for allotments, and may pay or receive money for equality of exchange.

(2) The proceeds of a sale under this Act of land acquired for allotments, and any money received by the council on any such exchange as aforesaid by way of equality of exchange, shall be applied in discharging, either by way of a sinking fund or otherwise, the debts and liabilities of the council in respect of the land acquired by the council for allotments, or in acquiring, adapting, and improving other land for allotments, and any surplus remaining may be applied for any purpose for which capital money may be applied, and which is approved by the Local Government Board; and the interest thereon (if any) and any money received from the letting of the land may be applied in acquiring other land for allotments, or shall be applied in like manner as receipts from allotments under this Act are applicable.

(3) Sections one hundred and twenty-eight to one hundred and thirty-two of the Lands Clauses Consolidation Act, 1845 (relating to the right of pre-emption of superfluous lands), shall apply upon any sale in pursuance of this section of any land, but, save as aforesaid, the provisions of the Lands Clauses Consolidation Act, 1845, with respect to the sale of superfluous lands shall not apply.

Transfer of allotments to borough, district, and parish councils.

33.—(1) The allotment wardens under the Inclosure Acts, 1845 to 1882, having the management of any land appropriated under those Acts either before or after the passing of this Act for allotments or field gardens for the labouring poor of any place, may, by agreement with the council of the borough, urban

district, or parish, within whose borough, district, or parish that place is wholly or partly situate, transfer the management of that land to the council, upon such terms and conditions as may be agreed upon with the sanction, as regards the allotment wardens, of the Board, and thereupon the land shall vest in the council.

(2) All trustees within the meaning of the Allotments Extension Act, 1882, required or authorised by that or any other Act to let lands in allotments to cottagers, labourers, journeymen, or others in any place, may, if they think fit, in lieu of letting the land in manner provided by the said Acts, sell or let the land to the council of the borough, urban district, or parish in which such place is wholly or partly situate, upon such terms as may be agreed upon, with the sanction, as regards the trustees, of the Charity Commissioners or the Board of Education, as the case may require. 45 & 46 Vict. c. 80.

(3) Where, as respects any rural parish, any Act constitutes any persons wardens of allotments, or authorises or requires the appointment or election of any wardens, committee, or managers for the purpose of allotments, the powers and duties of the wardens, committee, or managers shall, subject to the provisions of this Act, be exercised and performed by the parish council, or, in the case of a parish not having a parish council, by persons appointed by the parish meeting, and it shall not be necessary to make the said appointment or to hold the said election.

(4) The provisions of this Act relating to allotments shall apply to land vested in, or the management whereof has been transferred to, a council under this section or the corresponding provision of any enactment repealed by this Act in like manner as if the land had been acquired by the council under the general powers of this Part of this Act.

Supplemental.

Power to make scheme for provision of common pasture.

34.—(1) Where it appears to the council of any borough, urban district, or parish that, as regards their borough, district, or parish, land can be acquired for affording common pasture at such price or rent that all expenses incurred by the council in acquiring the land and otherwise in relation to the land when acquired may reasonably be expected to be recouped out of the charges paid in respect thereof, and that the acquisition of such land is desirable in view of the wants and circumstances of the labouring population, the council may submit to the council of the county in which the borough, district, or parish is wholly or partly situate a scheme for providing such common pasture.

(2) The county council, if satisfied of the expediency of such scheme, may by order authorise the council which submitted it to carry it into effect, and, upon such an order being made, the provisions of this Act relating to allotments shall, with the necessary modifications, apply in like manner as if "allotments"

in those provisions included common pasture, and "rent" included a charge for turning out an animal:

Provided that the rules made under those provisions may extend to regulating the turning out of animals on the common pasture, to defining the persons entitled to turn them out, the number to be turned out, and the conditions under which animals may be turned out, and fixing the charges to be made for each animal, and otherwise to regulating the common pasture.

Use of schoolroom free of charge.

35.—(1) Any room in a public elementary school in respect of which a grant is made out of moneys provided by Parliament may, except while the room is being used for educational purposes, be used free of charge for the purposes of this Part of this Act by the county council, or, with the consent of any two managers, for the purpose of holding public meetings to discuss any question relating to allotments under this Act, but any damage done to the room and any expense incurred by the persons having control over the room on account of its being so used shall be paid by the county council or the persons calling the meeting.

(2) Nothing in this section shall give any right to hold a public meeting in a schoolroom—

(*a*) Unless not less than six days before the meeting a notice of the intention to hold the meeting on the day and at the time specified in the notice, signed by the persons calling the meeting, being not less than six in number, and being persons qualified to make a representation to the council of a borough, urban district, or parish under this Part of this Act, has been given, in the case of a school provided by the local education authority to the clerk of that authority, and in any other case to one of the managers of the school; or

(*b*) if the use of the schoolroom on the said day and at the said time has previously to the receipt of the notice of the meeting been granted for some other purpose; but in that case the clerk or manager, or some one on his behalf, shall forthwith, after the receipt of the notice, inform in writing one of the persons signing it that the use of the school has been so granted for some other purpose, and name some other day on which the schoolroom can be used for the meeting.

(3) If the persons calling the meeting fail to obtain the use of a schoolroom under this section, they may appeal to the small holdings and allotments committee under this Act, and the committee shall forthwith decide the appeal, and make such order respecting the use of the room as seems just.

(4) Nothing in this section shall affect the powers as to the use of schoolrooms conferred by section four of the Local Government Act, 1894.

56 & 57 Vict. c. 73.

36. The powers as to allotments conferred on borough, urban district, and parish councils by this Act may in London be exercised by the London County Council, and the provisions of this Act as to allotments shall apply accordingly, except that, subject to the provisions of this Act, the expenses shall be defrayed and money borrowed under and in accordance with the provisions of the Local Government Act, 1888. Application to London. 51 & 52 Vict. c. 41.

37. Such of the provisions of this Part of this Act as require the sanction of, submission to, or order of, a county council shall not apply in the case of a county borough. Application to county boroughs.

PART III.

GENERAL.

Acquisition of Land.

38. For the purpose of the purchase of land by agreement under this Act by a council, the Lands Clauses Acts shall be incorporated with this Act, except the provisions of those Acts with respect to the purchase and taking of land otherwise than by agreement, and section one hundred and seventy-eight of the Public Health Act, 1875, shall apply as if the council were referred to therein. Purchase of land by agreement. 38 & 39 Vict. c. 55.

39.—(1) Where a council propose to purchase land compulsorily under this Act, the council may, subject to the provisions of Part I. of the First Schedule to this Act, submit to the Board an order putting in force as respects the land specified in the order the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement. Procedure for compulsory acquisition of land.

(2) Where a council propose to hire land compulsorily, the council may submit to the Board an order for the compulsory hiring of the land specified in the order for a period not less than fourteen nor more than thirty-five years, and the provisions of Part I. of the First Schedule to this Act shall apply to the order in like manner as it applies to an order for compulsory purchase, with the substitution of "hiring" for "purchase," and with the modifications set out in Part II. of that Schedule.

(3) An order under this section shall be of no force unless and until it is confirmed by the Board, and the Board may, subject to the provisions of the First Schedule to this Act, confirm the order either without modification or subject to such modifications as they think fit, and an order when so confirmed shall become final and have effect as if enacted in this Act; and the confirmation by the Board shall be conclusive evidence that the requirements of this Act have been complied with, and that the order has been duly made and is within the powers of this Act.

(4) An order under this section may provide for the continuance of any existing easement or the creation of any new easement over the land authorised to be acquired, and every such order

shall, if so required by the owner of the land to be acquired, provide for the creation of such new easements as are reasonably necessary to secure the continued use and enjoyment by such owner and his tenants of all means of access, drainage, water supply, and other similar conveniences theretofore used or enjoyed by them over the land to be acquired: Provided that, notwithstanding anything contained in this subsection, no new easement created by or in pursuance of the order over land hired by a council shall continue beyond the determination of such hiring.

(5) In determining the amount of any disputed compensation under any such order, no additional allowance shall be made on account of the purchase or hiring being compulsory.

(6) Where land authorised to be compulsorily hired by an order under this section is subject to a mortgage, any lease made in pursuance of the order by the mortgagor or mortgagee in possession shall have the like effect as if it were a lease authorised by section eighteen of the Conveyancing and Law of Property Act, 1881.

44 & 45 Vict. c. 41.

(7) Where the council proposing to acquire land compulsorily is a parish council, the council shall, instead of themselves making and submitting to the Board the order, represent the case to the county council, and thereupon the county council may, on behalf of the parish council, exercise the powers in relation to compulsory purchase or hiring conferred on councils by this Act, and the order shall be carried into effect by the county council, but the land shall be assured or demised to the parish council, and all expenses incurred by the county council shall be paid by the parish council:

Provided that, if the parish council are aggrieved by the refusal of the county council to proceed under this section, the parish council may petition the Board, and thereupon the Board, after such inquiry as they think fit, may make such an order as the county council might have made, and this subsection shall apply as if the order had been made by the county council.

(8) If, after the determination of the amount of the compensation (including in the case of land hired compulsorily the rent) to be paid to any person in respect of his interest in the land proposed to be compulsorily acquired, it appears to the council that the land cannot be let for small holdings or allotments, as the case may be, at such a rent as will secure the council from loss, the council may at any time within six weeks after the determination of the amount by notice in writing withdraw any notice to treat served on that person or on any other person interested in the land, and in such case any person on whom such a notice of withdrawal has been served shall be entitled to obtain from the council compensation for any loss or expenses which he may have sustained or incurred by reason or in consequence of the notice to treat and of the notice of withdrawal, and the amount of such compensation shall, in default of agreement, be determined by arbitration:

Provided that in every case in which the notice of withdrawal is given by the Commissioners acting in default of the council all compensation payable under this subsection shall be paid out of the Small Holdings Account.

Powers of certain limited owners to sell and lease land for small holdings or allotments.

40.—(1) Any person having power to lease land for agricultural purposes for a limited term, whether subject to any consent or conditions or not, may, subject to the like consent and conditions (if any), lease land to a council for the purposes of small holdings or allotments for a term not exceeding thirty-five years, either with or without such right of renewal as is conferred by this Act in the case of land hired compulsorily for those purposes.

(2) The like powers of leasing may be exercised, in the case of land belonging to the Crown, by the Commissioners of Woods, with the consent of the Treasury, in the case of land forming part of the possessions of the Duchy of Lancaster, by the Chancellor and Council of the Duchy of Lancaster by deed under the seal of the Duchy in the name of His Majesty His heirs and successors, and, in the case of land forming part of the possessions of the Duchy of Cornwall, by the Duke of Cornwall or other the persons for the time being having power to dispose of land belonging to that Duchy.

(3) The like powers of leasing may be exercised in the case of glebe land or other land belonging to an ecclesiastical benefice by the incumbent thereof with the consent of the Ecclesiastical Commissioners alone upon such terms and conditions and in such manner as the Ecclesiastical Commissioners may approve.

(4) Where a person having the powers of a tenant for life within the meaning of the Settled Land Acts, 1882 to 1890, sells, exchanges, or leases any settled land to a county council for the purposes of small holdings, the sale, exchange, or lease may be made at such a price, or for such consideration, or at such rent, as, having regard to the said purposes and to all the circumstances of the case, is the best that can be reasonably obtained.

(5) A person having the powers of a tenant for life within the meaning of the Settled Land Acts, 1882 to 1890, may grant the settled land, or a part thereof, to a county council for the purposes of small holdings in perpetuity, at a fee farm or other rent secured by condition of re-entry, or otherwise as may be agreed upon.

Restrictions on the acquisition of land.

41.—(1) No land shall be authorised by an order under this Act to be acquired compulsorily which at the date of the order forms part of any park, garden, or pleasure ground, or forms part of the home farm attached to and usually occupied with a mansion house, or is otherwise required for the amenity or convenience of any dwelling-house, or which is woodland not wholly surrounded by or adjacent to land acquired by a council under this Act, or which at that date is the property of any local

authority or has been acquired by any corporation or company for the purposes of a railway, dock, canal, water, or other public undertaking, or is the site of an ancient monument or other object of archæological interest.

(2) A council in making, and the Board in confirming, an order for the compulsory acquisition of land shall have regard to the extent of land held or occupied in the locality by any owner or tenant and to the convenience of other property belonging to or occupied by the same owner or tenant, and shall, so far as practicable, avoid taking an undue or inconvenient quantity of land from any one owner or tenant, and for that purpose, where part only of a holding is taken, shall take into consideration the size and character of the existing agricultural buildings not proposed to be taken which were used in connection with the holding, and the quantity and nature of the land available for occupation therewith, and shall also, so far as practicable, avoid displacing any considerable number of agricultural labourers or others employed on or about the land.

(3) No holding of fifty acres or less in extent, nor any part of any such holding, shall be authorised by an order under this Act to be acquired compulsorily for the purposes of small holdings or allotments.

Grazing rights, &c., to be attached to small holdings or allotments.

42.—(1) The powers of a council to acquire land for small holdings or allotments shall, subject to the restrictions by this Act imposed, include power to acquire land for the purpose of attaching to small holdings or allotments provided by the council rights of grazing and other similar rights over the land so acquired, and to acquire for that purpose stints and other alienable common rights of grazing.

(2) Any rights created or acquired by the council under this section shall be attached to the small holdings or allotments in such manner and subject to such regulations as the council think expedient.

(3) Where any right of grazing, sheepwalk, or other similar right is attached to land acquired by a county council for the purposes of small holdings, the council may attach any share of the right to any small holding in such manner and subject to such regulations as they think expedient.

Compensation for loss of employment by labourers.

43. Where a labourer, who has been regularly employed on any land acquired by a county council for small holdings, proves to the satisfaction of the county council that the effect of the acquisition was to deprive him of his employment, and that there was no employment of an equally beneficial character available to him in the same locality, the county council may pay to him such compensation as they think just for his loss of employment or for his expenses in moving to another locality, and any sum so paid shall be treated as part of the expenses of the acquisition of the land.

Provisions affecting Land acquired.

Power of council to renew tenancy of land compulsorily hired.

44.—(1) Where a council has hired land compulsorily for small holdings or allotments, the council may, by giving to the landlord not more than two years nor less than one year before the expiration of the tenancy notice in writing, renew the tenancy for such term, not being less than fourteen nor more than thirty-five years, as may be specified in the notice, and at such rent as, in default of agreement, may be determined by valuation by a valuer appointed by the Board, but otherwise on the same terms and conditions as the original lease, and so from time to time:

Provided that, if on any such notice being given, the landlord proves to the satisfaction of the Board that any land included in the tenancy is required for the amenity or convenience of any dwelling-house, then such land shall be excluded from the renewed tenancy.

(2) In assessing the rent to be paid under this section the valuer shall not take into account any increase in the value of the holding—

(*a*) due to improvements in respect of which the council would have been entitled to compensation, if instead of renewing the tenancy the council had quitted the land on the determination of the tenancy; or

(*b*) due to any use to which the land might otherwise be put during the renewed term, being a use in respect of which the landlord is entitled to resume possession of the land under this Act; or

(*c*) due to the establishment by the council of other small holdings or allotments in the neighbourhood,

or any depreciation in the value of the land in respect of which the landlord would have been entitled to compensation if the council had so quitted the land as aforesaid.

Interchange of land for small holdings and allotments.

45. A county council may sell or let to a borough, urban district, or parish council for the purpose of allotments any land acquired by them for small holdings, and a borough, urban district, or parish council may sell or let to the county council for the purpose of small holdings any land acquired by them for allotments, and the provisions of the Lands Clauses Acts with respect to the sale of superfluous land shall not apply on any such sale.

Power to resume possession of land hired compulsorily.

46.—(1) Where land has been hired by a council compulsorily for small holdings or allotments, and the land or any part thereof at any time during the tenancy thereof by the council is shown to the satisfaction of the Board to be required by the landlord to be used for building, mining, or other industrial purposes, or for roads necessary therefor, it shall be lawful for the landlord to resume possession of the land or part thereof upon giving to the council twelve months' previous notice in writing of his intention so to do; and, if a part only of the

land is resumed, the rent payable by the council shall as from the date of resumption be reduced by such sum as in default of agreement may be determined by valuation by a valuer appointed by the Board.

(2) Where the land has been hired compulsorily by the Commissioners acting in default of a county council, any question as to the right of the landlord to resume possession of the land or any part thereof under this section shall be determined by an arbitrator appointed by the Lord Chief Justice of England.

Compensation for improvements.

47.—(1) Where a council has let a small holding or allotment to any tenant, the tenant shall as against the council have the same rights with respect to compensation for the improvements mentioned in Part I. of the Second Schedule to this Act as he would have had if the holding had been a holding to which section forty-two of the Agricultural Holdings Act, 1908, applied:

Provided that the tenant shall not be entitled to compensation in respect of any such improvement if executed contrary to an express prohibition in writing by the council affecting either the whole or any part of the holding or allotment; but, if the tenant feels aggrieved by any such prohibition, he may appeal to the Board, who may confirm, vary, or annul the prohibition, and the decision of the Board shall be final.

(2) Where land has been hired by a council for small holdings or allotments, the council shall (subject in the case of land hired by agreement to any agreement to the contrary) be entitled at the determination of the tenancy on quitting the land to compensation under the Agricultural Holdings Act, 1908, for any improvement mentioned in Part I. of the Second Schedule to this Act, and for any improvement mentioned in Part II. of that Schedule which was necessary or proper to adapt the land for small holdings or allotments, as if the land were a holding to which section forty-two of the Agricultural Holdings Act, 1908, applied, and the improvements mentioned in Part II. of the said Schedule were improvements mentioned in Part III. of the First Schedule to the Agricultural Holdings Act, 1908:

Provided that, in the case of land hired compulsorily, the amount of the compensation payable to the council for those improvements shall be such sum as fairly represents the increase (if any) in the value to the landlord and his successors in title of the holding due to those improvements.

(3) The tenant of an allotment to which Part II. of this Act applies may, if he so elects, claim compensation for improvements under the Allotments and Cottage Gardens Compensation for Crops Act, 1887, instead of under the Agricultural Holdings Act, 1908, as amended by this section, notwithstanding that the allotment exceeds two acres in extent.

50 & 51 Vict. c. 26.

(4) A tenant of any small holding or allotment may, before the expiration of his tenancy, remove any fruit and other trees

and bushes planted or acquired by him for which he has no claim for compensation, and may remove any toolhouse, shed, greenhouse, fowl-house, or pigsty built or acquired by him for which he has no claim for compensation.

Provisions as to glebe lands.

48. In the case of glebe land or other land belonging to an ecclesiastical benefice hired by a council for the purposes of small holdings or allotments—

34 & 35 Vict. c. 43.

(1) The provisions of the Ecclesiastical Dilapidations Act, 1871, shall not during the continuance of the tenancy be applicable to the buildings upon the land:

(2) At the determination of the tenancy, on the council quitting the land, or at any time within twelve months thereafter, the incumbent of the benefice to which the land belongs may apply to the Ecclesiastical Commissioners for their consent to the removal of any buildings which have been erected on the land for the purpose of adapting the land for small holdings or allotments, and, on proof to the satisfaction of the Commissioners that any such buildings are useless, and that it is to the interest of the benefice that they should be removed, the incumbent may, with the consent of the Commissioners, and subject to such directions as they may give, pull down any such buildings and dispose of the materials thereof, and any proceeds shall be paid to the Commissioners to be by them applied to the improvement of the benefice in such manner as the Commissioners may direct.

Co-operative Societies, &c.

Co-operative societies, &c.

49.—(1) A county council may promote the formation or extension of, and may, subject to the provisions of this section, assist, societies on a co-operative basis, having for their object, or one of their objects, the provision or the profitable working of small holdings or allotments, whether in relation to the purchase of requisites, the sale of produce, credit banking, or insurance, or otherwise, and may employ as their agents for the purpose any such society as is mentioned in subsection (4) of this section.

(2) The county council, with the consent of, and subject to regulations made by, the Local Government Board, may for the purpose of assisting a society make grants or advances to the society, or guarantee advances made to the society, upon such terms and conditions as to rate of interest and repayment or otherwise, and on such security, as the council think fit.

(3) Where the Board themselves provide small holdings under the provisions of this Act, they may, with respect to any such society carrying on business or intending to carry on business in the neighbourhood of those small holdings, exercise the powers of a county council under this section, and the provisions of this section shall apply accordingly, except that references to the

Treasury shall be substituted for references to the Local Government Board, and that the expenses and receipts of the Board under this section shall be paid out of and into the Small Holdings Account.

(4) The Board with the consent of the Treasury may out of the Small Holdings Account make grants, upon such terms as the Board may determine, to any society having as its object or one of its objects the promotion of co-operation in connection with the cultivation of small holdings or allotments.

Small Holdings and Allotments Committees.

Small holdings and allotments committees.

50.—(1) Every county council shall establish a small holdings and allotments committee, consisting either wholly or partly of members of the council, but the members of the council shall be a majority, and all matters relating to the exercise and performance by the council of their powers and duties under this Act (except the power of raising a rate or borrowing money) shall stand referred to the small holdings and allotments committee, and the council before exercising any such powers shall, unless in their opinion the matter is urgent, receive and consider the report of the small holdings and allotments committee with respect to the matter in question, and the council may also delegate to the small holdings and allotments committee, with or without restrictions or conditions, as they think fit, any of their powers under this Act except the power of raising a rate or borrowing money.

(2) The small holdings and allotments committee may delegate any of their powers to sub-committees, consisting either wholly or partly of members of the committee, and in appointing any sub-committee to which is committed the powers of management of small holdings shall have regard to the advisability of including amongst the members of the sub-committee members of the councils of the boroughs, urban districts, or parishes in which the holdings are situate, or for which they are provided, and other persons acquainted with the needs and circumstances of the area for which the sub-committee act.

(3) Where any receipts or payments of money under this Act are entrusted by the county council to the small holdings and allotments committee, or any sub-committee thereof, the accounts of those receipts and payments shall be accounts of the county council, and made up and audited accordingly.

(4) This section, so far as relates to small holdings, shall apply to the council of a county borough in like manner as it applies to a county council, but, so far as it relates to allotments and sub-committees, shall not apply to the council of a county borough, without prejudice however to the power of such a council to appoint their small holdings committee, if duly qualified, to be allotment managers in pursuance of Part II. of this Act.

Expenses and Borrowing.

Small Holdings Account. 7 Edw. 7. c. 54.

51.—(1) For the purposes of this Act "The Small Holdings Account," opened at the Bank of England under the Small Holdings and Allotments Act, 1907, shall be continued.

(2) There shall be paid to this account—

(*a*) such money as may from time to time be provided by Parliament towards defraying the costs and expenses of the Board directed by this Act to be paid out of the Small Holdings Account; and

(*b*) all sums received by the Board and directed by this Act to be paid into the Small Holdings Account.

(3) The costs and expenses of the Board directed by this Act to be paid out of the Small Holdings Account shall be paid by the Board out of the money standing to that account.

(4) At the end of every financial year, accounts of the receipts and expenditure of the Small Holdings Account shall be made up in such form and with such particulars as may be directed by the Treasury, and shall be audited by the Comptroller and Auditor-General as public accounts in accordance with such regulations as the Treasury may make, and shall be laid before Parliament, together with his report thereon.

(5) Payments out of, and into, the Small Holdings Account, and all other matters relating to the account, and to the money standing to the credit of the account, shall be paid and regulated in such manner as the Treasury direct.

Borrowing powers and expenses. 51 & 52 Vict. c. 41.

52.—(1) A county council may borrow money for the purposes of the provisions of this Act relating to small holdings and for the purpose of making grants or advances to co-operative societies in accordance with the Local Government Act, 1888, or, if the council of a county borough, with the Public Health Acts, except that any money so borrowed shall, notwithstanding anything in either of those Acts, be repaid within such period, not exceeding—

(*a*) where the purpose for which the money is borrowed is the purchase of land, eighty years; and

(*b*) in any other case, fifty years,

as the council, with the consent of the Local Government Board, determine in each case: Provided that money so borrowed shall not be reckoned as part of the total debt of a county for the purpose of section sixty-nine, subsection two, of the Local Government Act, 1888.

38 & 39 Vict. c. 89.

(2) The Public Works Loans Commissioners may, in manner provided by the Public Works Loans Act, 1875, lend any money which may be borrowed by a county council for such purposes as aforesaid:

Provided that—

(*a*) the loan shall be made at the minimum rate allowed for the time being for loans out of the local loans fund; and

(*b*) if the Local Government Board make a recommendation to that effect, the period for which the loan is made by the Public Works Loans Commissioners may exceed the period allowed under the Public Works Loans Act, 1875, and the Acts amending that Act, but the period shall not exceed the period recommended by the Local Government Board, nor, where the purpose of the loan is the purchase of land, eighty years, or in any other case fifty years; and

(*c*) as between loans for different periods, the longer duration of the loan shall not be taken as a reason for fixing a higher rate of interest.

(3) Any capital money received by a county council in payment or discharge of purchase money for land sold by them, or in repayment of an advance made by them, shall, subject to the provisions of this Act, be applied, with the sanction of the Local Government Board, either in repayment of debt or for any other purpose for which capital money may be applied.

(4) The expenses incurred by the council of a county borough under the provisions of this Act relating to small holdings shall be defrayed out of the borough fund or borough rate, and any money borrowed by such a council shall be borrowed on the security of the borough fund or borough rate.

Expenses and borrowing.

53.—(1) All expenses incurred by the council of a borough, urban district, or parish under the provisions of this Act relating to allotments, including allowances to officers of the council for duties under those provisions, and any sums under those provisions repayable by a district or parish council to a county council acting in their default, shall be defrayed—

(*a*) in the case of a borough or urban district council, as part of the general expenses of their execution of the Public Health Acts; and

(*b*) in the case of a parish council, as part of the expenses of the council.

(2) All expenses incurred by the county council in executing the said provisions in any district or parish on default of a district or parish council, or incurred by the county council in or incidentally to a local inquiry under those provisions, shall be paid in the first instance out of the county fund as expenses for general county purposes, and, unless defrayed out of moneys received by the council in respect of any land acquired under those provisions otherwise than by sale or exchange, or out of money borrowed as before in this Act mentioned, shall, when the powers and duties of the district or parish council under those provisions are transferred to the county council in pursuance of this Act, be repaid to the county council as a debt by the district or parish council.

(4) The council of a borough, urban district, or parish may borrow for the purposes of acquiring, improving, and adapting land for allotments—

(*a*) in the case of a borough or urban district council, in like manner and subject to the like conditions as for the purposes of the Public Health Acts; and

(*b*) in the case of a parish council, under and in accordance with the provisions of the Local Government Act, 1894, but the money so borrowed by a parish council shall not be reckoned as part of the debt of the parish for the purpose of the limitation on borrowing under section twelve of that Act.

(5) Sections two hundred and forty-two and two hundred and forty-three of the Public Health Act, 1875, relating to loans by the Public Works Loan Commissioners to a local authority, shall apply to a loan to a borough or urban district council under this section, and, with the necessary adaptations, to a loan to a parish council under the Local Government Act, 1894, or to a county council lending money to a parish council under that Act, where the purpose for which the loan is required by the parish council is the acquisition, improvement, or adaptation of land under Part II. of this Act, in like manner as if those sections were herein re-enacted and in terms made applicable thereto.

Separate accounts of receipts and expenditure.

54.—(1) Separate accounts shall be kept of the receipts and expenditure of a council under this Act with respect to small holdings or allotments, and any such receipts shall, subject to the provisions of this Act, be applicable to the purposes of small holdings or allotments, but not for any other purpose except with the consent of the Local Government Board; and, for the purpose of the provisions relating to the audit of accounts, any persons appointed under this Act by a council to exercise and perform powers and duties as to the management of allotments shall be deemed to be officers of the council.

(2) The council of a borough, urban district, or parish shall within one month after the end of every financial year of the council cause an annual statement, showing their receipts and expenditure with respect to allotments for that year and their liabilities outstanding at the end of that year, to be deposited at some convenient place in the borough, district, or parish, and any ratepayer may without fee inspect and take copies of the statement.

Supplemental.

Provisions as to land acquired by Commissioners.

55. Any land acquired by the Commissioners under this Act or any enactment repealed by this Act shall be vested in the Board, but the Board may at any time transfer the land to the council at whose expense the land was acquired, and shall so transfer the land on payment of all sums due from the council in connection therewith, and on proof to the satisfaction of the

Board that the council are willing to exercise and perform their powers and duties in relation thereto.

Provisions as to Commissioners.

56. Anything by this Act required or authorised to be done by or to the Commissioners may be done by or to any one such Commissioner, and any document purporting to be signed by a Commissioner shall be received in evidence without proof of the appointment or handwriting of the Commissioner.

Local inquiries.

57.—(1) The Board and the Small Holdings Commissioners and other officers of the Board shall have for the purpose of an inquiry in pursuance of this Act the same powers as the Local Government Board and their inspectors respectively have for the purpose of an inquiry under the Public Health Acts.

(2) Notices of the inquiries shall be given and published in accordance with such general or special directions as the Board may give.

(3) A local inquiry by a county council for the purposes of the provisions of this Act relating to allotments shall be held by such one or more members of the small holdings and allotments committee of the council or by such officer of the council or other person as that committee may appoint to hold the inquiry.

Arbitrations and valuations.

58.—(1) All questions which under this Act are referred to arbitration shall, unless otherwise expressly provided by this Act, be determined by a single arbitrator in accordance with the Agricultural Holdings (England) Act, 1908.

(2) Where an order has been made and confirmed authorising the compulsory acquisition of land by the Commissioners acting in default of a county council, the arbitrator or valuer, as the case may be, shall be appointed by the Lord Chief Justice of England instead of by the Board.

(3) The remuneration of an arbitrator or valuer appointed under this Act shall be fixed by the Board.

Annual report to Parliament.

59. The Board shall make an annual report to Parliament of their proceedings, and of the proceedings of the Commissioners, under this Act, and also of the proceedings of the several county, borough, district, and parish councils under this Act, and for that purpose every such council shall, before such date in every year as the Board may fix, send to the Board a report of their proceedings under this Act during the preceding year.

Saving for existing tenancies.

60. Nothing in this Act shall affect the rights and obligations under any tenancy created under any enactment repealed by this Act.

Interpretation.

61.—(1) For the purposes of this Act—

The expression "small holding" means an agricultural holding which exceeds one acre and either does not exceed fifty acres, or, if exceeding fifty acres, is at the date of sale or letting of an annual value for the purposes of income tax not exceeding fifty pounds:

The expression "allotment" includes a field garden:

The expressions "agriculture" and "cultivation" shall include horticulture and the use of land for any purpose of husbandry, inclusive of the keeping or breeding of live stock, poultry, or bees, and the growth of fruit, vegetables, and the like:

The expression "county" shall mean the area under the authority of a county council:

The expression "county council" shall in relation to small holdings include the council of a county borough, and in its application to a county borough the expression "county fund" shall mean the borough fund or borough rate:

The expression "prescribed" means prescribed by regulations made by the Board:

The expression "landlord," in relation to any land compulsorily hired by a council, means the person for the time being entitled to receive the rent of the land from the council.

(2) In this Act and in the enactments incorporated with this Act the expression "land" shall include any right or easement in or over land.

(3) For the purposes of this Act, any expenses incurred by a council in the enfranchisement of any land acquired by them for small holdings or allotments, or in the purchase or redemption of land tax, or any quit rent, chief rent, tithe, or other rentcharge, or other perpetual annual sum issuing out of land so acquired, shall be deemed to have been incurred in the purchase of the land.

(4) In this Act references to a parish council shall, in the case of a rural parish not having a parish council, include references to the parish meeting.

(5) Any notice required by this Act to be served or given may be sent by registered post.

Repeal.

62. The enactments mentioned in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Provided that—

(*a*) nothing in this Act shall affect any order, scheme, draft scheme, rules, regulations, report, petition, notice, or other document made, prepared, submitted, served, or given under any enactment so repealed, but every such document shall have effect as if made, prepared, submitted, served, or given under this Act; and

(*b*) references in any conveyance, lease, or other document to any enactment so repealed shall have effect as if they had been references to the corresponding provisions of this Act; and

(*c*) if any question arises as to whether any power of the Local Government Board under the enactments relating to allotments hereby repealed was thereby transferred to the Board of Agriculture and Fisheries, the question shall be determined by the Local Government Board, whose decision shall be final.

Short title, commencement, and extent.

63.—(1) This Act may be cited as the Small Holdings and Allotments Act, 1908.

(2) This Act shall come into operation on the first day of January one thousand nine hundred and nine.

(3) This Act shall not extend to Scotland or Ireland.

SCHEDULES.

FIRST SCHEDULE.

Section 39.

PART I.

PROVISIONS AS TO THE COMPULSORY ACQUISITION OF LAND BY A COUNCIL.

(1) The order shall be in the prescribed form, and shall contain such provisions as the Board may prescribe for the purpose of carrying the order into effect, and of protecting the council and the persons interested in the land, and shall incorporate, subject to the necessary adaptations, the Lands Clauses Acts and sections seventy-seven to eighty-five of the
8 & 9 Vict. c. 20. Railways Clauses Consolidation Act, 1845, but subject to this modification, that any question of disputed compensation shall be determined by a single arbitrator appointed by the Board, who shall be deemed to be an arbitrator within the meaning of the Lands Clauses Acts, and the provisions of those Acts with respect to arbitration shall, subject to the provisions of this schedule, apply accordingly.

(2) The order shall be published by the council in the prescribed manner, and such notice shall be given both in the locality in which the land is proposed to be acquired and to the owners, lessees, and occupiers of that land, as may be prescribed.

(3) If within the prescribed period no objection to the order has been presented to the Board by a person interested in the land, or if every such objection has been withdrawn, the Board shall, without further inquiry, confirm the order, but, if such an objection has been presented and has not been withdrawn, the Board shall forthwith cause a public inquiry to be held in the locality in which the land is proposed to be acquired, and the council and all persons interested in the land and such other persons as the person holding the inquiry in his discretion thinks fit to allow shall be permitted to appear and be heard at the inquiry.

(4) Before confirming the order the Board shall consider the report of the person who held the inquiry, and all objections made thereat.

(5) The arbitrator shall, so far as practicable, in assessing compensation act on his own knowledge and experience, but, subject as aforesaid, at any inquiry or arbitration held under this schedule the person holding the inquiry or arbitration shall hear, by themselves or their agents, any authorities or parties authorised by or under this Act to appear, and shall

hear witnesses, but shall not, except in such cases as the Board otherwise direct, hear counsel or expert witnesses.

(6) The Board may, with the concurrence of the Lord Chancellor, make rules fixing a scale of costs to be applicable on an arbitration under this schedule, and an arbitrator under this schedule may, notwithstanding anything in the Lands Clauses Acts, determine the amount of costs, and shall have power to disallow as costs in the arbitration the costs of any witness whom he considers to have been called unnecessarily, and any other costs which he considers to have been caused or incurred unnecessarily.

(7) In construing, for the purposes of this schedule or any order made thereunder, any enactment incorporated with the order, this Act together with the order shall be deemed to be the special Act and the council shall be deemed to be the promoters of the undertaking.

(8) Where the land is glebe land or other land belonging to an ecclesiastical benefice the order shall provide that sums agreed upon or awarded for the purchase of the land, or to be paid by way of compensation for the damage to be sustained by the owner by reason of severance or other injury affecting the land, shall not be paid as directed by the Lands Clauses Acts, but shall be paid to the Ecclesiastical Commissioners to be applied by them as money paid to them upon a sale under the provisions of the Ecclesiastical Leasing Acts of land belonging to a benefice.

Part II.

Section 39

Provisions as to the Compulsory Hiring of Land by a Council.

(1) The Board shall make regulations for the purpose of carrying the order into effect and of protecting the council and the persons interested in the land, and the order shall incorporate such regulations, together with such provisions of the Lands Clauses Acts and of sections seventy-seven to eighty-five of the Railways Clauses Consolidation Act, 1845, as may, subject to the prescribed adaptations, appear to the Board necessary or expedient for that purpose.

(2) The order authorising the land to be hired compulsorily shall determine the terms and conditions of the hiring other than the rent, and in particular—

(*a*) shall provide for the insertion in the lease of covenants by the council to cultivate the land in a proper manner and to pay to the landlord at the determination of the tenancy on the council quitting the land compensation for any depreciation of the land by reason of any failure by the council, or any person deriving title under them, to observe such covenants, or by reason of any user of the land by the council or such person as aforesaid, and (unless otherwise agreed) to keep the buildings and premises demised in repair; and

(*b*) shall not authorise the breaking up of pasture unless the Board are satisfied that it can be so broken up without depreciating the value of the land, or that the circumstances are such that small holdings cannot otherwise be successfully cultivated; and

(*c*) shall not, except with the consent of the landlord, confer on the council any right to fell or cut timber or trees or any right to take, sell, or carry away any minerals, gravel, sand, or clay, except so far as may be necessary or convenient for the purpose of erecting buildings on the land or otherwise adapting the land for small holdings or allotments, and except upon payment of compensation for minerals, gravel, sand, or clay so used.

(3) The determination of—

(*a*) The amount of the rent to be paid by the council for the land compulsorily hired;

(*b*) The amount of any other compensation to be paid by the council to any person entitled thereto in respect of the land or any interest therein, or in respect of improvements executed on the land or otherwise; and

(*c*) Where part only of a holding held for an unexpired term is hired, the rent to be paid for the residue of the holding during the remainder of that term;

shall in default of agreement be by valuation by a single valuer appointed by the Board: Provided that, if the land hired is in the occupation of a tenant, he may, by notice in writing served on the council before the determination of his tenancy, require that any claim by him against the council which, under the Agricultural Holdings Act, 1908, might be referred to arbitration under that Act, shall be so referred, and in such case those claims shall be determined by arbitration under that Act and not by valuation under this Act.

(4) The valuer, in fixing the rent to be paid for the land compulsorily hired, shall take into consideration the rent (if any) at which the land has been let and the annual value at which the land is assessed for purposes of income tax or rating, the loss (if any) caused to the owner by severance, the terms and conditions of the hiring (including any reservation of sporting or fishing rights), and all the other circumstances connected with the land, but shall not make any allowance in respect of any use to which the land compulsorily hired might otherwise be put by the owner during the term of hiring, being a use in respect of which the owner is entitled to resume possession of the land under this Act.

(5) Any compensation awarded to a tenant in respect of any depreciation of the value to him of the residue of his holding caused by the withdrawal from the holding of the land compulsorily hired shall, as far as possible, be provided for by taking such compensation into account in fixing the rent to be paid for the residue of the holding during the remainder of the term for which it is held by the tenant.

(6) Any person interested in any valuation shall give the valuer all such assistance, information, and explanations as he may require, and shall produce to the valuer, or give him access to, all such books, accounts, vouchers, and other documents relating to the land to be compulsorily hired as he may reasonably require for the purposes of valuation, and such expenses as the valuer certifies to have been properly incurred by any person in furnishing such assistance, information, and explanations, or otherwise, in relation to the valuation, shall be paid by the council.

(7) On the determination of any tenancy created by compulsory hiring any questions as to the amount due by the council for depreciation shall in default of agreement be determined by arbitration.

SECOND SCHEDULE.

IMPROVEMENTS REFERRED TO IN SECTION FORTY-SEVEN.

Section 47.

PART I.

(1) Planting of standard or other fruit trees permanently set out;

(2) Planting of fruit bushes permanently set out;

(3) Planting of strawberry plants;

(4) Planting of asparagus, rhubarb, and other vegetable crops which continue productive for two or more years.

PART II. Section 47.

(1) Erection, alteration, or enlargement of buildings ;
(2) Formation of silos ;
(3) Laying down of permanent pasture ;
(4) Making and planting of osier beds ;
(5) Making of water meadows or works of irrigation ;
(6) Making of gardens ;
(7) Making or improving of roads or bridges ;
(8) Making or improving of watercourses, ponds, wells, or reservoirs, or of works for the application of water power or for supply of water for agricultural or domestic purposes ;
(9) Making or removal of permanent fences ;
(10) Planting of hops ;
(11) Planting of orchards or fruit bushes ;
(12) Protecting young fruit trees ;
(13) Reclaiming of waste land ;
(14) Warping or weiring of land ;
(15) Embankments and sluices against floods ;
(16) The erection of wirework in hop gardens ;
(17) Drainage.

THIRD SCHEDULE. Section 62.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
50 & 51 Vict. c. 48.	The Allotments Act, 1887.	The whole Act, except as respects subsections (4) to (8) of section three so far as they are applied by any other enactment.
53 & 54 Vict. c. 65.	The Allotments Act, 1890.	The whole Act.
55 & 56 Vict. c. 31.	The Small Holdings Act, 1892.	The whole Act, except so far as it relates to Scotland.
56 & 57 Vict. c. 73.	The Local Government Act, 1894.	In section six, subsections (3) and (4).
60 & 61 Vict. c. 65.	The Land Transfer Act, 1897.	Section nineteen.
7 Edw. 7. c. 54	The Small Holdings and Allotments Act, 1907.	The whole Act.