"burden" in this Act shall mean the same as it does in the Customs Consolidation Act, 1876, that is to say, "registered tonnage."

Saving of existing provision as to goods and persons on board.

4. For the purpose of the forfeiture under the said one hundred and seventy-ninth section of goods, packages, casks, and the like, and the detaining and dealing with persons found or discovered to have been on board any ship or boat liable to forfeiture by the said section (as amended by the Customs Consolidation Act, 1876, Amendment Act, 1887), ships or boats of or exceeding two hundred and fifty tons burden shall still be deemed, but for such purpose only, to be ships or boats liable to forfeiture by the said section.

Short title.

5. This Act may be cited as the Customs Consolidation Act, 1876, Amendment Act, 1890.

CHAPTER 57.

An Act to amend the Law with respect to Compensation due to Tenants on Land under Mortgage.

[18th August 1890.]

46 & 47 Vict. c. 61. 50 & 51 Vict. c. 26.

WHEREAS it is expedient to amend the Agricultural Holdings Act, 1883, and the Allotments and Cottage Gardens Compensation for Crops Act, 1887, in so far as they relate to the compensation paid to tenants for improvements where land is under mortgage:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Construction and short title.

1. This Act shall be construed as one with the Agricultural Holdings Act, 1883, and the Allotments and Cottage Gardens Compensation for Crops Act, 1887 (in this Act referred to as the principal Acts), and this Act may be cited as the Tenants Compensation Act, 1890.

Compensation to tenants, when mortgagee in possession.

2. Where a person occupies land under a contract of tenancy with the mortgagor, whether made before or after the passing of this Act, which is not binding on the mortgagee of such land, then—

(1.) The occupier shall, as against the mortgagee who takes possession, be entitled to any compensation which is, or would but for the mortgagee taking possession be due to the occupier from the mortgagor as respects crops, improvements, tillages, or other matters connected with the land, whether under the principal Acts or the custom of the country, or agreements sanctioned by the principal Acts;

Provided that any sum ascertained to be due to the occupier for such compensation or for any costs connected therewith, may be set off against any rent or other sum due from him in respect of the land, and recovered as compensation under the

principal Acts, but unless so set off shall, as against the mortgagee, be charged and recovered in accordance only with section thirty-one of the Agricultural Holdings Act, 1883, as if the mortgagee were the landlord within the meaning of that section.

(2.) Before the mortgagee deprives the occupier of possession of the land otherwise than in accordance with the said contract, he shall give to the occupier six months' notice in writing of his intention so to deprive him, and if he so deprives him compensation shall be due to the occupier for his crops, and for any expenditure upon the land which he has made in the expectation of holding the land for the full term of his contract of tenancy, in so far as any improvement resulting therefrom is not exhausted at the time of his being so deprived, and such compensation shall be determined in like manner as compensation under the principal Acts, and shall be set off, charged, and recovered in manner before provided in this section. This sub-section shall only apply where the said contract is for a tenancy from year to year, or for a term of years not exceeding twenty-one, at a rack-rent.

51 & 52 Vict. c. 51. to apply to compensation under 46 & 47 Vict. c. 61. s. 31.

3. Where compensation for improvements comprised in Part One or Part Two of the First Schedule to the Agricultural Holdings (England) Act, 1883, is charged by an order under section thirty-one of that Act, the charge shall be a land charge within the meaning of the Land Charges Registration and Searches Act, 1888, and shall be registered accordingly.

Exception of tithe rentcharge. 6 & 7 Will. 4. c. 71.

4. This Act shall not apply to provisions for the payment of tithe rentcharge arising under the Tithe Commutation Act, and subsequent Acts relating thereto.

Extent of Act.

5. This Act shall not apply to Scotland or Ireland.

CHAPTER 58.

An Act to make better provision for the payment of Clerks of Unions and Collectors of Poor Rates for services in carrying into effect the Acts relating to the Registration of Parliamentary Voters in Ireland.

[18th August 1890.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Payment of union officers according to fixed scale.

1.—(1.) The clerks and collectors of poor rates of the several poor law unions in Ireland shall be paid for their services and for expenses incurred by them in execution of the duties required to be discharged by them respectively in carrying into effect the provisions of the Representation of the People Acts as that expression is defined