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THIRD REVISED EDITION

Volume XVIII

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FIFTEENTH AND SIXTEENTH
YEARS OF KING GEORGE THE FIFTH

A.D. 1924-1925

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[² The word "Irish" means that the reason for total or partial omission is that the enactment is applicable to the Republic of Ireland only or is applicable to the Republic of Ireland and Northern Ireland or to Northern Ireland only, and, if applicable to Northern Ireland, is within the competence of the Northern Ireland legislature. (See Preface. Vol. I)]

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STATUTES OF KING GEORGE THE FIFTH

15 & 16 GEORGE 5 A.D. 1924

CHAPTER 2

AN ACT to provide for the continuance of charging powers in respect of canal or inland navigation undertakings of which possession was retained or taken by the Minister of Transport under the Ministry of Transport Act, 1919.^[1]

[18th December 1924.]

1. (1) In the case of canal or inland navigation undertakings of which possession was retained or taken by the Minister of Transport under the powers contained in section three of the Ministry of Transport Act, 1919, paragraph (e) of subsection (1) of that section as amended by subsection (1) of section one of the Canals (Continuance of Charging Powers) Act, 1922 (in this Act referred to as the principal Act), shall have effect as if the date of the expiration of this Act were substituted for the fifteenth day of February, nineteen hundred and twenty-five.

Extension of period during which charging powers may be continued.
9 & 10 Geo. 5. c. 50.
12 & 13 Geo. 5. c. 27.

(2) Subsections (2) and (3) of section one of the principal Act shall continue in force as long as this Act continues in force, and the ^[2] Rates Advisory Committee constituted under section twenty-one of the Ministry of Transport Act, 1919, shall continue in existence so long as may be necessary for the purposes of references under the said subsection (2).

2. (1) This Act may be cited as the Canals (Continuance of Charging Powers) Act, 1924, and shall be construed as one with the principal Act, and the principal Act and this Act may be cited together as the Canals (Continuance of Charging Powers) Acts, 1922 and 1924.

Short title, construction, citation and duration.

(2) This Act shall continue in force until the fifteenth day of February, nineteen hundred and twenty-six, and shall then expire.

^[1] S. 3 (1) (e) of 9 & 10 Geo. 5. c. 50 expired Dec. 31st, 1937, on non-continuance by Expiring Laws Continuance Acts, but *see* as to Scotland, 1 Edw. 8 & 1 Geo. 6. c. 28. s. 24 (1).]

^[2] *See* 11 & 12 Geo. 5. c. 55. s. 80 (4); 10 & 11 Geo. 6. c. 49. s. 72 (1).]

CHAPTER 3

AN ACT to authorise the Treasury to guarantee a loan to be raised by the Government of the Irish Free State for the purposes of Land Purchase in that State.

[18th December 1924.]

Power to
Treasury to
guarantee
loan.

1. (1) The Treasury may, subject to the provisions of this Act, guarantee in such manner as they think fit, the payment of the principal of, and the interest (at a rate not exceeding four and one-half per cent. per annum) on, any loan issued by the Government of the Irish Free State for the purposes of Land Purchase in the Irish Free State, but so that the securities so guaranteed do not in the aggregate exceed thirty million pounds sterling in nominal amount and are issued within a period of eight years from the passing of this Act.

(2) A guarantee shall not be given in pursuance of this Act until the Parliament of the Irish Free State have provided to the satisfaction of the Treasury and the Secretary of State—

- (a) for issuing and duly applying the loan for the purposes aforesaid ;
- (b) for the establishment and regulation of a sinking fund for the purpose of the redemption at par of the securities so to be guaranteed within a period of eighty years from the passing of this Act ;
- (c) for charging on the Central Fund of the Irish Free State, and on any special funds established for the purpose, with priority over any charges not existing at the date of the passing of this Act, the principal of and the interest on the securities so to be guaranteed, and any sinking fund payments for the repayment of the principal of such securities ;
- (d) for charging on the Central Fund of the Irish Free State immediately after the last mentioned charge thereon, the repayment to the Treasury of any sum issued out of the Consolidated Fund under this Act on account of the guarantee given under this Act, with interest thereon at such rate as may be agreed on by the Treasury and the Minister for Finance of the Irish Free State and, in default of such agreement, at the rate of five per cent. per annum ;
- (e) for raising or securing the raising of sufficient money to meet the above charges.

(3) Any sums required by the Treasury for fulfilling their guarantee given under this Act shall be charged on and issued out of the Consolidated Fund or the growing produce thereof, and any sums paid on account of the repayment of the amount so issued out of the Consolidated Fund shall be paid into the Exchequer.

(4) The Treasury shall lay before both Houses of Parliament a statement of any guarantee given under this Act, and an account of any sums issued out of the Consolidated Fund for the purpose of any such guarantee as soon as may be after any such guarantee is given or any sum is so issued.

2. This Act may be cited as the Irish Free State Land Purchase (Loan Guarantee) Act, 1924. Short title.

CHAPTER 5

AN ACT to amend the Law of Property Act, 1922, and the enactments thereby affected, and to facilitate the consolidation of the law relating to conveyancing and property, settled land, trustees, the registration of pending actions, annuities, writs, orders, deeds of arrangement and land charges, the administration of estates, the registration of title to land and university and college estates. [18th December 1924.]

[S. 1 *rep.* 14 Geo. 6. c. 6 (S.L.R.)]

2. The principal Act shall be amended, in regard to details relating to the enfranchisement of copyholds and the conversion of perpetually renewable leaseholds into long terms, in the manner appearing in the Second Schedule to this Act. Amendments of the principal Act.

[S. 3 *rep.* 15 & 16 Geo. 5. c. 20. s. 207, *sch.* 7 ; s. 4 *rep.* 15 & 16 Geo. 5. c. 18. s. 119, *sch.* 5 ; s. 5 *rep.* 15 & 16 Geo. 5. c. 19. s. 70, *sch.* 2 ; s. 6 *rep.* 15 & 16 Geo. 5. c. 22. s. 24, *sch.* ; s. 7 *rep.* 15 & 16 Geo. 5. c. 23. s. 56, *sch.* 2 ; s. 8 *rep.* 15 & 16 Geo. 5. c. 21. s. 147, *sch.*]

9. The enactments mentioned in the Ninth Schedule to this Act are affected by the principal Act in the manner and to the extent specified in that Schedule. Statutes affected by the principal Act.

[S. 10 *rep.* 14 Geo. 6. c. 6 (S.L.R.) ; s. 11 *rep.* 15 & 16 Geo. 5. c. 24. s. 44, *sch.* 2.]

12. (1) This Act may be cited as the Law of Property (Amendment) Act, 1924. Short title, and extent.

(2) This Act shall be construed as one with the principal Act, and that Act and this Act may be cited together as the Property Acts, 1922 and 1924.

[Subs. (3) *rep.* 14 Geo. 6. c. 6 (S.L.R.)]

(4) This Act extends to England and Wales only.

SCHEDULES

[First Schedule rep. 14 Geo. 6. c. 6 (S.L.R.)]

Section 2

SECOND SCHEDULE

AMENDMENTS OF PRINCIPAL ACT

Saving of
offices of
profit from
the Crown.

1. The following section shall be inserted after section one hundred and forty-two of the principal Act:—

“142A. Notwithstanding that, as respects manors belonging to the Crown, all manorial incidents may become extinguished, the acceptance of the office of steward or other principal officer shall be deemed to be an acceptance of an office of profit from the Crown for the purposes of section twenty-five of the Succession to the Crown Act, 1707.”

Manorial
documents.

2. The following section shall be inserted after section one hundred and forty-four of the principal Act:—

“144A. (1) All manorial documents shall be under the charge and superintendence of the Master of the Rolls.

(2) Save as hereinafter provided, manorial documents shall remain in the possession or under the control of the lord for the time being of the manor to which the same relate and he shall not be entitled to destroy or damage wilfully such documents.

(3) The Master of the Rolls may from time to time make such enquiries as he shall think fit for the purpose of ascertaining that any manorial documents are in the proper custody, and are being properly preserved, and the lord of the manor to which such documents relate, or the governing body of any public library, or museum or historical or antiquarian society, to which the same may have been transferred, as hereinafter provided, shall furnish the Master of the Rolls with all such information with respect thereto as he may require.

(4) The Master of the Rolls may direct that any manorial documents which, in his opinion, are not being properly preserved, or which he is requested by the lord of a manor to deal with under this subsection, shall be transferred to the Public Record Office, or to any public library, or museum or historical or antiquarian society, which may be willing to receive the same, and if the same shall be transferred to any public library, or museum or historical or antiquarian society, the governing body thereof shall thereafter have the custody thereof and shall be responsible for the proper preservation and indexing thereof.

(5) Nothing contained in this section shall prejudice or affect the right of any person to the production and delivery of copies of any manorial documents or to have the same kept in a proper state of preservation; in particular the lord of the manor shall remain entitled to require the same to be produced to him, or in accordance with his directions, free of any cost.

(6) In this section “manorial documents” mean court rolls, surveys, maps, terriers, documents and books of every description relating to the boundaries, franchises, wastes, customs or courts of a manor, but do not include the deeds and other instruments required for evidencing the title to a manor; “manor” includes a lordship and a reputed lordship; and “lord of the manor” includes any person entitled to manorial documents.

(7) The Master of the Rolls may make rules for giving effect to this section, and may revoke or vary any such rules.” 2nd. Sch.—cont.

3. (1) At the end of paragraph (viii) of subsection (1) of section one hundred and thirty-nine of the principal Act the words “On the application of the lord or of at least twenty tenants a general order may be made under this paragraph as respects any manor” shall be inserted. Extinction of manorial incidents.

(2) In section one hundred and forty-two of the principal Act the words “in fee” where they first occur, are hereby repealed.

4. The Twelfth Schedule to the principal Act is hereby amended as follows :— Amendments of Schedules XII and XIII.

(1) In sub-paragraph (b) of paragraph (8) the words “or a mortgagee has been admitted,” and “or would have had such right if a mortgagee had not been admitted” are hereby repealed, and, in lieu of the last-mentioned words, the words “otherwise than as mortgagee” shall be inserted;

In the same sub-paragraph the words “(being a trustee)” shall be substituted for “(not being a mortgagee)” ; and the words “if any” shall be inserted after “personal representative.”

In the same sub-paragraph the words “a better right to be admitted than the devisee or customary heir” shall be substituted for “the best right to be admitted,” where those words secondly occur.

(2) The following sub-paragraphs shall be inserted at the end of the said paragraph :—

“(f) If the copyholder in fee is a mortgagee the freehold estate in fee simple shall (subject to the terms of years absolute of any mortgages) vest in the person entitled to the equity of redemption :

(g) If a copyholder in fee, or other person entitled to an interest corresponding to a legal estate, is a trustee for a corporation or other person absolutely and beneficially entitled, the freehold estate in fee simple, or other corresponding legal estate (as the case may be) shall vest in the corporation or other person so entitled :

(h) If a person has, under the Limitation Acts, acquired a customary estate corresponding to a legal estate, then a legal estate corresponding to the customary estate so acquired shall vest in him.”

(3) In paragraph 13 of Part II. of the Thirteenth Schedule to the principal Act :—

(a) The words “forfeitures and all other” shall be substituted for “all” ;

(b) The words “or where the copyhold interest liable to forfeiture is less than a customary fee simple or is subject to a lease binding on the lord twenty per cent. of the annual value of such copyhold interest to be ascertained in such manner as the Minister may determine to be proper” shall be inserted after the words “paragraphs 3 and 4.”

5. The Fifteenth Schedule to the principal Act is hereby amended as follows :— Amendments of Schedules XV.

(1) The words “cease or” shall be inserted after “notice shall” in the proviso to sub-paragraph (1) (i) of paragraph 10 ;

(2) In sub-paragraph (1) of paragraph 12 the words “an amount to be ascertained as hereinafter provided” shall be substituted for “the like amount as would have been payable if this Act had not been passed and the lease or underlease or all successive leases or underleases have been renewed in due course” ;