



(Ireland.)



A

# B I L L

To facilitate the Recovery of Arrears of Tithe Compositions in Ireland, vested in Her Majesty, under the Provisions of an Act of the First and Second Years of Her present Majesty, for abolishing Compositions for Tithes in Ireland, and for substituting Rent-charges in lieu thereof.

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[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

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**W**HEREAS an Act was passed in the Session of Parliament holden in the first and second years of the reign of Her present Majesty, intituled, “An Act to abolish Compositions for Tithes in Ireland, and to substitute Rent-charges in lieu thereof:”

5 And whereas an Act was passed in the last Session of Parliament amending the said Act; and it was thereby among other things enacted, that in any Petition to be presented under the said first-mentioned Act by Her Majesty’s Attorney-General for Ireland to the Court of Chancery or Exchequer in Ireland, or to the Court of any

10 Assistant Barrister or Chairman, for the recovery of any arrears of Tithe Composition vested in Her Majesty under and by the operation of the provisions of the said Act, it should be lawful to include all or any Two or more of the persons in default, who should be named and distinguished in the Schedule annexed to any Memorial for relief

15 presented to the Lord Lieutenant and Privy Council in Ireland under the said first-mentioned Act, as having such estates or interests as in the said Act described in the lands charged with any Composition due

and

27.

Preamble.

and in arrear; and that the Court to which any such application might be made by Petition might from time to time proceed thereon as against any One or more of the persons therein named as defaulters who should appear to have had due notice thereof, although such notice might not be proved to have been given to any other or others 5 of the persons named therein :

And whereas it is expedient, for the more cheap and easy recovery of the arrears of Tithe Compositions vested in Her Majesty as aforesaid, further to amend the said Act ;

**BE it therefore Enacted**, by The QUEEN's most Excellent 10  
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, **THAT** in any  
Petition to be presented under the said Act or Acts by the said  
Attorney-General to any of the said Courts for the recovery of any 15  
arrears of Tithe Composition vested in Her Majesty as aforesaid,  
it shall be lawful to include all or any *Two* or more of the persons  
in default, who shall be named and distinguished in the several  
Schedules annexed to all or any *Two* or more of the Memorials  
presented to the said Lord Lieutenant and Privy Council for relief, 20  
under the said Act, in respect of Compositions for Tithes charged  
upon or accrued due in respect of lands situate in one and the  
same Diocese, or in any *Two* or more united Dioceses, as having  
in such lands respectively the estates or interests in the said first-  
mentioned Act described; and that it shall be lawful from time to 25  
time to amend any Petition which may be filed under the said Acts  
and this Act, or any of them, by adding parties thereto.

1.  
Any number  
of Defaulters  
may be in-  
cluded in one  
Petition in re-  
spect of  
arrears due  
in the same  
Diocese.

Petition may  
be amended  
by adding  
Parties.

**And be it Enacted**, That the Court to which application may be  
made by Petition as aforesaid under the said recited Acts and this  
Act, or any of them, may from time to time proceed thereon as 30  
against all or any of the parties therein named as defaulters, although  
they or any of them may not have had notice of such Petition previous  
to the filing of the same: Provided always, That no such Court shall  
make order directing the payment of any sum of money by any such  
party (upon whom such previous notice shall not have been served), 35  
unless Fourteen Days' notice of the filing of the Petition, or of some  
order appointing a time for the hearing thereof, shall have been first  
served upon such party.

2.  
Proceedings  
may be had  
on Petition,  
although  
notice may  
not have  
been served  
previous to  
the filing  
thereof; but  
no order shall  
be made for  
payment of  
money with-  
out Fourteen  
Days' pre-  
vious notice  
thereof.

**And be it Enacted**, That any notice to be given or served in pur-  
suance of the said Act of the last Session of Parliament, or of this 40  
Act, may be given or served in the manner provided by the said first-  
recited Act in reference to the giving of notices thereunder.

3.  
Notices under  
3 & 4 Vict.  
c. 13, and this  
Act, to be  
served as di-  
rected by  
1 & 2 Vict.  
c. 109, s. 42.

And

And be it Enacted, That this Act and the two hereinbefore mentioned Acts shall be construed together as one Act.

4.  
Recited Acts  
and this Act  
to be construed  
together.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

5.  
Act may be  
altered this  
Session.