



Improvement of Land Act 1864

1864 CHAPTER 114

Charges for Improvements

59 Grantee to have Charge for Principal Money from Time to Time unrepaid, with Priority over other Incumbrances.

From the Date of the Absolute Order, the Grantee thereof, and his Executors, Administrators, Successors, and Assigns, shall have a Charge on the Lands therein comprised for the Principal Money from Time to Time remaining undischarged, by Payment of the Rentcharge, with Interest, at the Rates in the several Cases hereinbefore respectively expressed, and such Charge shall have Priority over every other then existing and future Charge and Incumbrance affecting such Lands or Estates and Interests respectively, whether created under the Powers of any Act of Parliament or otherwise, except Quit Rent, Crown Rents, Chief Rents, Feu Duties, Ground Annuals, and other Charges incident to Tenure, Tithe Commutation Rentcharges and Teinds, Charges created or to be created under any Act authorizing Advances of public Money for the Improvement of Land, and any Charges created under this Act or Charges of prior Date created under any other existing Act of Parliament authorizing the charging of Lands with the Expense of and incident to their Improvement : Provided that in case a Part only of the Land charged is subject to a Mortgage or other Incumbrance, the Charge created under the Authority of this Act shall have Priority over the Mortgage or other Incumbrance only to the Extent of a due Proportion of such Charge, when and so soon as the same shall be ascertained under and pursuant to the Sixty-sixth Section of this Act.