



ANNO QUARTO

GEORGIIV. REGIS.



Cap. Ixviii.

An Act for raising a further Sum of Money for carrying into Execution an Act passed in the Fifty-seventh Year of His late Majesty King George the Third, intituled *An Act for rebuilding the Church and improving the Churchyard of the Parish of Saint Paul Shadwell in the County of Middlesex*; and for amending the said Act.

[30th May 1823.]

WHEREAS an Act was passed in the Fifty-seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act for rebuilding the Church and improving the Churchyard* 57 G. 3. c. 72. of the Parish of Saint Paul Shadwell in the County of Middlesex: And whereas by the above Act certain Persons therein named and their Successors were empowered to take down and rebuild the Church and Tower of the said Parish of *Saint Paul Shadwell*, and otherwise to carry the said Act into Execution; for which Purposes they were empowered to borrow the Sum of Ten thousand and five hundred Pounds, at Interest, or by Annuities for Lives, and were also authorized to make and levy an annual Rate, not exceeding One Shilling in the Pound: And whereas the said Trustees, proceeding in the Discharge of the Duty imposed upon them by the said Act, employed a proper and competent Architect, and with his Assistance contracted for and built and completed the said Church

[Local.]

15 R

and

and Tower; and the said Church has since been duly consecrated by the Lord Bishop of *London*, and Divine Worship is now regularly performed therein: And whereas the said Trustees, in carrying into Execution the above Act, have expended all the Money they were thereby empowered to borrow, and it is found that, after such Expenditure, a considerable Sum remains due and owing to divers Persons (Tradesmen and others) employed by the said Trustees, for Work done and Articles supplied in taking down and rebuilding the said Church and Tower, and for other Work and Things connected therewith: And whereas by the said Act the said Trustees were authorized to pay the present Rector of the said Parish and his Successors the Sum of One hundred Pounds *per Annum*, as a Compensation for certain Funeral Dues thencefore received by the Rectors of the said Parish; and the Sum of Five hundred Pounds and upwards is now due and in arrear to the said Rector in respect thereof: And whereas the said Trustees cannot raise the Money for paying off and discharging the said Church Debt, and the Arrears due to the said Rector, without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and 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, That *James Ballance, Thomas Badder, John Barker junior, John Burnell (Whitechapel), George Dodson, Charles Dowding, Robert Kennedy Dickman, Christopher Fryer, George Fox, Joseph Fryer, Abraham Gole, Henry Garland, John Hammock, Thomas Hill (Wapping Wall), Isaac Hodgson, George Homan, George Heneky, John Poole (Wapping Wall), Thomas Mather, Charles Rich, Abraham Edmund Reynolds, Thomas Shade, Peter Mellish, and John Williams, (Mile End)*, and their Successors, to be appointed according to the Provisions of the recited Act, shall be additional Trustees for carrying the said recited Act and this Act into Execution, subject to the Qualification in the said recited Act mentioned.

Trustees.

Provision for the Election of additional Trustees.

II. And be it further enacted, That the Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish of *Saint Paul Shadwell*, shall, at a Public Vestry of the said Parish, chuse and elect by Ballot such Number of Persons as shall be equal to the Number of Trustees in this Act before named; and the Persons so chosen and elected, and their Successors, to be appointed according to the Provisions of the said recited Act, shall also be additional Trustees for carrying the said recited Act and this Act into Execution, subject to the Qualification in the said recited Act mentioned.

Trustees to be sworn.

III. And be it further enacted, That no Person shall, after the passing of this Act, be capable of acting as a Trustee (except the several Persons entitled to be Trustees by virtue of their respective Offices), unless he shall, before he shall act as such (except in administering the Oath or Affirmation herein-after mentioned), take and suscribe before Two or more of the said Trustees (who are hereby empowered to administer the same) the Oath or Affirmation following; that is to say,

I *A. B.* do swear [*or, being one of the People called Quakers, do solemnly affirm*], That I will truly and impartially, according to the best of my Judgment, execute and perform the several Powers, Authorities, and Trusts,

‘ Trusts, reposed in me as a Trustee by virtue of an Act, intituled *An Act for rebuilding the Church and improving the Churchyard of the Parish of Saint Paul Shadwell in the County of Middlesex*, and also an Act [*here set forth the Title of this Act.*] So help me GOD.’

[*Or, being a Quaker, omit the Words ‘ So help me God.’*]

And if any Person shall act (except as aforesaid); before he shall have taken and subscribed the said Oath or Affirmation, and unless he shall be qualified as in and by the said recited Act is mentioned, every such Person shall for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same in any of His Majesty’s Courts of Record at *Westminster*, by Action of Debt or on the Case, Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed: Provided always, that no Act or Proceeding touching the Execution of the said recited Act or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oath or Affirmation by this Act prescribed, shall be thereby impeached or rendered nugatory; but all such Proceedings shall be as valid and effectual as if such Person had taken such Oath or Affirmation previously to his having acted as such Trustee as aforesaid.

IV. And be it further enacted, That they the said Trustees and their Successors shall be and they are hereby empowered to borrow and take up at Interest such further Sum or Sums of Money as to them shall seem necessary for the Purposes aforesaid, but not exceeding in the whole the Sum of Six thousand Pounds. Power to borrow additional Money.

V. And be it further enacted, That the said Trustees and their Successors shall also be and they are hereby empowered to increase the annual Rate which by the said recited Act was authorized to be made and levied, and therein and thereby was restricted to One Shilling in the Pound; and that the said annual Rate may be hereafter but shall not exceed One Shilling and Nine-pence in the Pound on the unredeemed Property, and shall not exceed Nine-pence in the Pound on the Property which has been redeemed. Power to increase Rate.

VI. And be it further enacted, That the said additional Sum of Six thousand Pounds, or such Part thereof as the said Trustees may find it necessary to borrow for the Purposes aforesaid, shall be borrowed and secured in like Manner, under the same Restrictions, by the same Forms, and in every respect conformable to the Directions, which by the said recited Act are imposed for the borrowing of the Ten thousand five hundred Pounds therein and thereby authorized to be borrowed. Securities for Money borrowed.

VII. And be it further enacted, That the said additional annual Rate of Nine-pence in the Pound, or such Part thereof as the said Trustees may from Time to Time find it necessary to make and levy, shall be made and levied on the same Persons and Premises, and recovered in the same Manner and by the same Ways and Means, in every respect, as by the said recited Act is directed for the making, levying, and recovering of the said annual Rate of One Shilling in the Pound. Recovery of Rate.

VIII. And

Securities for
Money bor-
rowed.

VIII. And be it further enacted, That all Persons who have lent any Money at Interest, or upon Annuity or Annuities, by virtue of the Provisions of the said recited Act, shall have the like Security upon all and every Rate and Rates, to be made hereafter under the Authority of the said recited Act and this Act, as fully and effectually as if the Title of this Act were recited in their several Securities; and that every Security upon which Money shall be borrowed by virtue of and subsequently to the passing of this Act, shall be made and signed by the said Trustees, in the same Form, Words, and Figures as are directed by the said recited Act, except that they shall also recite the Title of this Act.

Redemption
of former
Rates not to
exonerate
from Rates
under this
Act.

IX. And whereas several Persons have redeemed their Rates upon certain of their Premises, under the Authority of the said recited Act, but it is not intended that such Redemption shall exonerate them, or their Premises, from the additional Rate or Rates to be imposed by virtue of this Act; be it therefore enacted, That such Redemption shall not extend to the said additional Rate or Rates to be imposed by virtue of this Act; but that all Excess of Rate, beyond One Shilling in the Pound *per Annum* (being the Amount of the Rate so redeemed), shall be rated and levied upon the Persons who have so redeemed, and their Property, in the same Manner, and by the same Ways and Means in every respect, as by the said recited Act is directed for the making and levying of the said annual Rate of One Shilling in the Pound: Provided nevertheless, that nothing in this Clause contained shall extend to or affect the Lands and Property of the *London Dock Company* within the said Parish, inasmuch as such Lands and Property are to be exonerated from such additional Rate or Rates, and also from all other Rates (if any) to be at any Time hereafter levied in aid of the Purposes of the said recited Act, in manner herein-after mentioned.

For lowering
the Interest
of Money
borrowed.

X. And whereas the said Trustees have borrowed a Part of the afore-said Sum of Ten thousand five hundred Pounds at an Interest of Five Pounds *per Centum per Annum*; be it therefore enacted, That it shall and may be lawful for the said Trustees and their Successors, and they are hereby empowered and directed, whenever it shall be possible to obtain Money at a lower Rate of Interest, to borrow a Sum of Money (not exceeding the Amount of the Money borrowed at Five Pounds *per Centum per Annum*) at such lower Rate of Interest accordingly, and by and with the same to pay off and discharge the Money so borrowed at Five Pounds *per Centum per Annum*.

Notto extend
to Rates
already made.

XI. And be it further enacted, That nothing herein contained shall abate, alter, or abolish, or be considered or taken as intended to abate, alter, or abolish any Rate or Rates, nor the levying, collecting, or enforcing any Rate or Rates which before the passing of this Act shall have been made, signed, and allowed by virtue of the said recited Act.

Premises of
the *London
Dock Com-
pany* exoner-
ated from the
Rates on Pay-
ment of a
certain Sum.

XII. And whereas by the said recited Act it was enacted, that in consideration of the Sum of One thousand Pounds, to be paid by the *London Dock Company* for the Purposes and in Manner therein mentioned, to the Treasurer for the Time being to be appointed under the Powers of the said Act, all the Lands, Houses, Buildings, Erections,
Tene-

Tenements, and Premises, belonging to the said Company, should be for ever exonerated from all and every Charge, Rate or Assessment, to be made by virtue of the said Act: And whereas the Directors of the said Company paid the said Sum of One thousand Pounds in manner by the said Act directed: And whereas the said Sum of One thousand Pounds exceeded considerably the Price or Sum at which the Redemption of the Rate or Assessment upon Lands and Property of the *London Dock Company* in the said Parish, under the Authority of the said recited Act, might have been purchased, and the said Company agreed to contribute and pay the same upon the Faith and Condition that their Lands and Property should be for ever exonerated from the said Rate or Assessment, and from all and every further and other Rates or Assessments, or Rate or Assessment, to be at any Time thereafter levied for or in aid of the Purposes of the said recited Act: And whereas Doubts have arisen whether the said Lands and Property of the said Company are so exonerated by the Provisions of the said Act: And whereas the said Company has been applied to and requested by the said Trustees to contribute and pay a further Sum of Money for or towards the Purposes of the said recited Act, and the said Company being willing to make a further Contribution for or towards the Purposes aforesaid, and desirous that their said Lands and Property should be exonerated in manner aforesaid, have agreed to pay the further Sum of Two hundred and fifty Pounds to the said Trustees for or towards such Purposes; be it therefore further enacted, That if the Directors of the said Company shall, within Three Calendar Months after the passing of this Act, well and truly pay or cause to be paid unto the said Trustees or their Treasurer the said further Sum of Two hundred and fifty Pounds, to be applied for the Purposes aforesaid, that then and in such Case all the Lands, Houses, Buildings, Erections, Tenements, and Premises, whether Freehold or Copyhold, which belonged to the said Company at the Time of the passing of the said recited Act, and were either in the Possession of the said Company, or of any Tenant or Tenants, or any Person or Persons holding the same as Tenant or Tenants, of or for and on behalf of the said Company, shall be and the same are hereby for ever exonerated from all and every Charge, Rate, or Assessment to be made and levied by virtue of this Act, and from all and every further and other Rates, Charges, or Assessments, or Rate, Charge, or Assessment, if any, to be at any Time or Times hereafter levied for or in aid of the Purposes of the said recited Act; and that all the Powers and Provisions given and granted to the said Company in and by the said recited Act, shall, in consideration of the Contribution and Payment of such further Sum as aforesaid, be extended to this Act as fully and effectually to all Intents and Purposes as if the same Powers and Provisions had been or were herein repeated and specially enacted.

XIII. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Privileges, Penalties, Forfeitures, Restrictions, Matters, and Things whatsoever contained in the said recited Act, so far as the same are not expressly altered or repealed by this Act, shall extend and be construed to extend to operate and be in force with respect to this Act, and shall be applied and put in Execution as fully and effectually to all Intents and Purposes as if the same were repeated and re-

Extending
Powers of
former Act
to this Act.

[Local.]

158

enacted

enacted in the Body of this Act, and made Part thereof; and the said recited Act and this Act shall, as to all Matters and Things whatsoever, except as aforesaid, be considered as One Act.

Trustees indemnified.

XIV. Provided always, and be it further enacted, That the said Trustees and their Successors shall from Time to Time, and at all Times hereafter, be amply and fully indemnified from and out of the Monies to be raised under the said recited Act and this Act, of and from all Costs, Charges, Damages and Expences, which they or any of them, or their Treasurer or Clerk, shall or may sustain or be put unto for or by reason of any Action, Suit, or Proceedings which may be had, sued, commenced, or prosecuted against them, any or either of them, for any Matter or Thing which may be by them respectively legally done in and about the Execution of the said recited Act and this Act, and the Trusts thereby reposed in them.

Charges of Act how to be paid.

XV. And be it further enacted, That the Costs and Expences of preparing, obtaining, and passing of this Act, and all other Charges incident or relating thereto, shall be paid by the said Trustees out of the first Monies which shall be obtained by virtue of this Act.

Public Act.

XVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1823.