## CHAPTER vii.

An Act to provide for the sale of the Chapel of Saint Paul Great Portland Street and for the endowment of the Chapel of Saint Peter Vere Street in the event of that chapel having a district assigned to it and for other purposes connected therewith. [30th June 1905.] A.D. 1905.

WHEREAS by virtue of an Act passed in the session of the eleventh year of the reign of His Majesty King George the Fourth and the first year of the reign of His Majesty King William the Fourth chapter fifty-nine intituled "An Act for "endowing the parish church of Newborough in the county of "Northampton and three chapels called Portland Chapel Oxford "Chapel and Welbeck Chapel situate in the parish of Saint "Marylebone in the county of Middlesex and also a chapel "erected on Sunk Island in the River Humber" as amended by an Act passed in the session of the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria chapter seventy intituled "An Act to enable the trustees of Portland Chapel "Oxford Chapel and Welbeck Chapel in the parish of Saint "Marylebone to augment the salaries of the ministers of the "said chapels" the chapel commonly known as Saint Paul Great Portland Street (in the said Acts called "Portland Chapel" and hereinafter referred to as "Saint Paul's Chapel") and the chapel commonly known as Saint Peter Vere Street (in the said Acts called "Oxford Chapel" and hereinafter referred to as "Saint Peter's Chapel") and the respective sites of those chapels that is to say the ground and soil whereon the chapels respectively stand and all rents profits and produce arising and becoming payable in respect of the chapels respectively together with all and singular

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vaults areas passages lights easements and appurtenances whatsoever to the chapels and those premises in any wise belonging or appertaining are vested in the First Commissioner of Works for the time being and the rector for the time being of the parish of All Souls Saint Marylebone as a body corporate (which body corporate is hereinafter referred to as "the trustees") to the intent and purpose that divine service according to the rites of the Church of England may be performed in each of the said chapels by the incumbent thereof:

And whereas the trustees were under the said Acts authorised to let pews and seats in the said chapels and were required to apply the proceeds of the said pew rents for the purposes of maintaining and keeping in repair the said chapels respectively and of defraying the expenses of the celebration of divine service therein including the payment of the stipend of the incumbent of the said chapels respectively and of any clerks organists or other persons employed therein or in connection therewith and otherwise in manner provided by those Acts:

And whereas the enactments mentioned in the schedule to this Act have so far as they relate to the chapel of Saint James Westmoreland Street (in the said enactments called "Welbeck Chapel") been repealed by the Marylebone Chapels (Saint James Westmoreland Street) Act 1904 to the extent specified in the third column of the said schedule:

And whereas Saint Paul's Chapel and Saint Peter's chapel have both been consecrated and His Majesty is the patron thereof:

And whereas there is at present no incumbent of Saint Paul's Chapel and the chapel is closed and has ceased to serve or to be required for the purposes for which it was erected:

And whereas no burials have taken place in Saint Paul's Chapel:

And whereas it is expedient that Saint Paul's Chapel and the site thereof should be sold and the proceeds of the sale thereof applied as provided by this Act to the following among other purposes:—

(A) The payment of all the costs and charges preliminary to and of and incidental to the passing of this Act;

(B) The payment of all costs and charges incurred by the trustees or the Ecclesiastical Commissioners under this

Act including any liabilities outstanding at the date of the sale of Saint Paul's Chapel;

(c) The annual payment of a sum of one hundred and fifty pounds to the rector of All Souls Saint Marylebone to be applied by him by way of stipend to an assistant curate in the parish church of All Souls Saint Marylebone;

(d) The better endowment of the work of the Church of England in the parish of Saint Marylebone and elsewhere in the diocese of London:

And whereas it is expedient that in the event of the chapel of Saint Peter Vere Street having a district assigned to it the funds in the hands of the trustees in respect of that chapel should be transferred to the Ecclesiastical Commissioners to be held by them as an endowment of the new benefice:

And whereas the objects of this Act cannot be attained without the 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 as follows:—

Short title.

**1.** This Act may be cited as the Marylebone Chapels (Saint Paul Great Portland Street and Saint Peter Vere Street) Act 1905.

### Saint Paul Great Portland Street.

Sale of chapel of Saint Paul Great Portland Street.

**2.**—(1) As soon as may be after the passing of this Act and subject to the provisions thereof the materials and site of Saint Paul's Chapel shall be sold and the chapel shall be demolished.

(2) For the purposes aforesaid the chapel and the site thereof shall on the passing of this Act become absolutely vested in the Ecclesiastical Commissioners in trust to deal with and dispose of the same and the proceeds and produce thereof in manner directed by this Act and the Commissioners shall have as respects the chapel and site so vested in them all such powers as they have under section 29 of the Union of Benefices Act 1860 with respect to hereditaments vested in them under that section.

Removal of fittings &c.

**3.**—(1) The Ecclesiastical Commissioners shall remove the font communion table and plate used for the purposes of the Holy Communion in Saint Paul's Chapel and transfer them to any church or chapel within the diocese of London which the Bishop

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of London may select and shall remove the stained glass windows organ bells tablets monuments and all other ornaments fittings and furniture (if any) in or about Saint Paul's Chapel and shall dispose of them in such manner as they with the consent of the Bishop of London and the trustees may determine:

Provided that the heirs executors administrators relatives or friends of any person to whose memory any stained glass window tablet or monument has been erected may before the demolition of the chapel and after giving notice to the Ecclesiastical Commissioners of their intention to do so remove the window tablet or monument to any place they may think proper and the expenses of the removal not exceeding ten pounds in any case shall be paid by the Ecclesiastical Commissioners in manner directed by this Act.

(2) All registers deeds records books and documents relating solely to Saint Paul's Chapel shall be transferred to and kept in a secure place in the Church of All Souls Saint Marylebone.

Application of proceeds of sale &c.

**4.**—(1) All funds and securities held by the trustees in connection with Saint Paul's Chapel at the date of the sale of the site thereof shall be transferred to the Ecclesiastical Commissioners and shall together with all money arising from the sale of the materials or site of the chapel and all other moneys (if any) received by the Commissioners under this Act in respect of Saint Paul's Chapel be carried by the Commissioners to a separate fund.

(2) The Ecclesiastical Commissioners shall hold the said fund in trust—

(A) To pay all costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act incurred by the trustees including the repayment to themselves of any advances made by them to the trustees for the purposes of this Act (which advances they are hereby authorised to make) with interest on such advances at the rate of three and a half per centum per annum And subject thereto

(B) To pay all costs charges and expenses incurred by the Commissioners or the trustees under this Act in respect of Saint Paul's Chapel including any costs of removal of windows tablets or monuments payable under this

Act by the Commissioners and to defray all other liabilities incurred by the trustees in respect of the chapel (including the repayment of any pew rents paid in advance or any part thereof) and outstanding at the date of the sale of that chapel And subject thereto

(c) To pay in each year out of the income of the fund if and so far as it may be sufficient for the purpose a sum of one hundred and fifty pounds to the rector of All Souls Saint Marylebone to be applied by him by way of stipend to an assistant curate in the church of All Souls Saint Marylebone provided that no such sum shall be paid in any year except upon a certificate from the Bishop of London and the rector that a person has been employed as such assistant curate during that year And subject thereto

(d) To apply the fund for the better endowment of the work of the Church of England in the ancient parish of Saint Marylebone and elsewhere in the diocese of London in such manner as may be determined by the First Lord of the Treasury after consultation with the Commissioners and the Bishop of London.

Repeal.

**5.** The enactments mentioned in the schedule to this Act shall so far as they relate to Saint Paul's Chapel be repealed to the extent specified in the third column of that schedule.

## Saint Peter Vere Street.

Power of trustees to transfer to Ecclesiastical Commissioners trust funds in respect of Saint Peter Vere Street.

**6.** If at any time after the next avoidance of the benefice the trustees in exercise of the powers conferred on them by the New Parishes Acts 1843 to 1884 and the Church Building Acts 1818 to 1884 transfer and convey to the Ecclesiastical Commissioners the freehold of Saint Peter's Chapel to the intent that a district chapelry or consolidated chapelry formed under the Church Building Acts 1818 to 1884 should be assigned to the said chapel the trustees shall also transfer to the Ecclesiastical Commissioners all funds and investments held by them in respect of the said chapel to be held by the Commissioners as an endowment of the said chapelry but freed and discharged from the trusts declared concerning those funds and investments in the said recited Acts and upon the completion of the said transfer the enactments mentioned in the schedule to this Act shall so far as unrepealed be repealed to the extent specified in the third column of that schedule.

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# The SCHEDULE referred to in the foregoing Act.

## Enactments Repealed.

| Session and Chapter. | Title. | Extent of Repeal. |
|---|---|---|
| 11 Geo. 4. and 1 Will. 4. c. 59. | An Act for endowing the parish church of Newborough in the county of Northampton and three chapels called Portland Chapel Oxford Chapel and Welbeck Chapel situate in the parish of Saint Marylebone in the county of Middlesex and also a chapel erected on Sunk Island in the River Humber. | Sections eight to nineteen. |
| 17 & 18 Vict. c. 70. | An Act to enable the trustees of Portland Chapel Oxford Chapel and Welbeck Chapel in the parish of Saint Marylebone to augment the salaries of the ministers of the said chapels. | The whole Act. |

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