

ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. CIII.

An Act to amend an Act made in the laſt Seſſion of Parliament, for making Proviſion for the building and re-building of Churches, Chapels, and Glebe Houſes in *Ireland*. [15th *June* 1809.]

WHEREAS by an Act made in the laſt Seſſion of Parliament, intituled, *An Act to make more effectual Proviſion for the building and rebuilding of Churches, Chapels, and Glebe Houſes, and for the Purchaſe of Glebe Lands, Glebe Houſes, and Impropriations in* Ireland, it was among other Things enacted, That on Application made to the Truſtees and Commiſſioners of Firſt Fruits in *Ireland*, in Manner in the ſaid Act mentioned, concerning the erecting of any new Church or Chapel, or the rebuilding of any Church or Chapel in any Pariſh or Place in *Ireland*, it ſhould be lawful for the ſaid Truſtees and Commiſſioners to advance to the Parties making ſuch Application out of the Monies and Funds intruſted to their Care, the Whole or any Part of the Sum or Sums of Money to be applied in the Erection or Rebuilding of ſuch Church or Chapel; and that if the ſaid Truſtees and Commiſſioners ſhould be of Opinion that it was fitting that any Sum of Money ſo advanced, or any Part thereof, ſhould be advanced by way of Loan to and ſhould be repaid by any Pariſh, it ſhould be lawful for the ſaid Truſtees and Commiſſioners to require and take Security by Bond for the repaying of ſuch Money ſo advanced, in Manner and at the Times in the ſaid Act mentioned, and that every Bond for Money advanced by the Lord High Treaſurer or Commiſſioners of the 48 G. 3. c. 65.

Treaſury of *Ireland*, by virtue of the ſaid Act ſhould be made payable to His Majeſty, His Heirs and Succeſſors; and if ſuch Sum of Money ſhould not be duly paid, the ſaid Bonds ſhould be put in Suit under the Orders of the ſaid Lord High Treaſurer or Commiſſioners of the Treaſury, or any Three of them: And whereas the Inconvenience reſulting to Individuals from the entering into the Bonds and Securities required by the ſaid recited Act may obſtruct the Attainment of the beneficial Effects of the ſaid Act; be it therefore 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 from and after the paſſing of this Act, whenever any Sum or Sums of Money whatever ſhall be advanced by the ſaid Truſtees and Commiſſioners by Way of Loan, and to be repaid by the Pariſh or Place in which any Church or Chapel ſo to be erected or rebuilt ſhall be erected or ſituate, whether ſuch Money ſhall be advanced by the ſaid Truſtees and Commiſſioners out of any Money to be advanced to them by the ſaid Lord High Treaſurer or Commiſſioners of the Treaſury, or out of any other Funds in the Hands, Power, Cuſtody, Poſſeſſion or Diſpoſal of the ſaid Commiſſioners and Truſtees, it ſhall not be neceſſary for the ſaid Commiſſioners and Truſtees to require and take any ſuch Security by Bond as in the ſaid Act is mentioned for the Repayment of any ſuch Sum or Sums of Money ſo advanced, or any Part or Proportion thereof, any Thing in the ſaid recited Act, or in any other Act or Acts in force in *Ireland*, to the contrary in any wiſe notwithſtanding.

Where Money ſhall be advanced by the Truſtees and Commiſſioners of Firſt Fruits, no Security or Bond for the Repayment ſhall be required.

II. And be it further enacted, That from and after the paſſing of this Act, whenever the Miniſter and Churchwardens or any Two Proteſtant Inhabitants of any Pariſh or Place in *Ireland*, in which it ſhall be propoſed and intended that any Church or Chapel ſhall be erected or rebuilt, ſhall have made Application in Manner directed by the ſaid recited Act, to the ſaid Truſtees and Commiſſioners for the advancing of any Money for ſuch Purpoſe, and the ſaid Truſtees and Commiſſioners ſhall have ſignified their Intention of advancing any Sum or Sums of Money for ſuch Purpoſe, and ſhall be of Opinion that it is fitting and expedient that ſuch Sum or Sums of Money, or any Part thereof, ſhould be advanced by Way of Loan to, and ſhould be repaid by ſuch Pariſh or Place, then and in ſuch Caſe in the Place and Stead of any Bond or Security being taken by the ſaid Truſtees for the Re-payment of ſuch Sum of Money, or any Part thereof, it ſhall and may be lawful for the Inhabitants of any ſuch Pariſh or Place aſſembled at a Veſtry duly ſummoned and called upon, Seven Days Notice at leaſt, to make an Aſſeſſment upon ſuch Pariſh or Place of a Sum equal to the whole Sum ſo to be advanced by Way of Loan, to be repaid by Inſtalments in Seventeen ſucceſſive Years.

Inſtead of Security or Bond for Money advanced for the building of any Church, the Pariſhioners may make an Aſſeſſment for the Repayment in 17 Years.

III. And be it further enacted, That it ſhall and may be lawful for every ſuch Veſtry to aſſeſs upon ſuch Pariſh or Place the whole Sum ſo to be advanced by way of Loan, to be raiſed, levied, and paid in Manner and at the Times following, that is to ſay, Six Pounds *per Centum* of the Sum ſo advanced and to be repaid, ſhall be ſo raiſed and paid by ſuch Pariſh on or before the Firſt Day of *July* next after the Expiration of One Year from the Day on which ſuch Sum ſhall be ſo advanced; Six Pounds *per Centum* more of ſuch Sum on or before the Firſt Day of *July* in every ſucceeding

Mode of raiſing the Money by Aſſeſſment.

ſucceeding Year, until Ninety-ſix Pounds *per Centum* of the Sum ſo advanced and to be repaid ſhall be ſo raiſed and paid by ſuch Pariſh; and the remaining Four Pounds *per Centum* of ſuch Sum on or before the Firſt Day of *July* in the Year ſucceeding that in which the laſt Inſtalment of Six Pounds *per Centum* ſhall have been paid as before mentioned; and that the Amount of the ſaid annual Inſtalments, or Sum or Sums of Money, ſhall be a Charge on ſuch Pariſh or Place, and ſhall, without further Authority, be from Time to Time applotted, levied, and raiſed without further Aſſeſſment in ſuch Pariſh or Place, in ſuch Manner and with all ſuch Powers and Remedies for the applotting, raiſing, and levying of the ſame in all Reſpects as is or are provided for the applotting, raiſing, and levying of any Sum or Sums of Money, Rate, Pariſh Aſſeſſment, Ceſs, or Tax, for repairing, building, or rebuilding of any Church or Chapel, or other neceſſary Charges belonging to ſuch Church or Chapel, under or by virtue of the ſaid recited Act of the laſt Seſſion, or of any other Act or Acts in force in *Ireland* at the Time of the paſſing of this Act; and that all Churchwardens and Veſtries ſhall have the like Power to aſſeſs all Pariſhes and Places, and to applot and levy ſuch Aſſeſſments, and be accountable for the ſame, and to do all Matters and Things for the aſſeſſing ſuch Sums, or for applotting, raiſing, and levying of ſuch annual Inſtalments or Sums ſo to be payable as aforeſaid in all Reſpects whatſoever, as they now have reſpectively touching or concerning any Rate or Rates, Sum or Sums of Money, Pariſh Ceſs or Tax, for the repairing, building, or rebuilding of any Church or Chapel, or any other neceſſary Charge belonging to ſuch Church or Chapel, under or by virtue of any ſuch Act or Acts as aforeſaid.

Truſtees and Commiſſioners to advance the Money on the Production of Certificate of the Churchwardens or Two Inhabitants that the Aſſeſſment has been made.

IV. And be it further enacted, That a Certificate ſigned by the Churchwardens, or Two Proteſtant Inhabitants of any ſuch Pariſh or Place, that ſuch Aſſeſſment had been made in and for ſuch Pariſh or Place, ſhall be forthwith tranſmitted to the Ordinary of the Dioceſe; and upon ſuch Certificate, together with the Approbation of the ſaid Ordinary, being by the ſaid Ordinary tranſmitted to or laid before the ſaid Truſtees and Commiſſioners of Firſt Fruits, it ſhall and may be lawful for the ſaid Truſtees and Commiſſioners forthwith to advance and pay to the Perſons applying under the ſaid recited Act, out of any Monies or Funds entruſted to the Care of the ſaid Truſtees and Commiſſioners ſuch Sum or Sums of Money as they ſhall have previouſly ſignified to be in their Opinion fit and proper to be applied in the Erection or Building of any ſuch Church or Chapel reſpectively, in Manner herein-before mentioned.

How Inſtalments ſhall be paid.

V. And be it further enacted, That all and every ſuch Inſtalment and Sum or Sums of Money ſo to be raiſed by any ſuch Pariſh or Place as aforeſaid ſhall be paid to the Churchwardens of ſuch Pariſh or Place, and ſhall by ſuch Churchwardens, within Twenty-one Days after the Firſt Day of *July* in every Year, be paid to the ſaid Truſtees and Commiſſioners of Firſt Fruits; and in caſe the Money ſo advanced by ſuch Truſtees and Commiſſioners ſhall have been advanced by them out of any Money advanced to them by the Lord High Treaſurer or Commiſſioners of the Treaſury of *Ireland*, ſuch Sum and Sums of Money ſhall, by the ſaid Truſtees and Commiſſioners, be paid into the Receipt of the Exchequer of *Ireland*, within One Month after the Receipt thereof, by the ſaid Truſtees and

and Commiſſioners; and ſuch Money may be again advanced to the ſaid Truſtees and Commiſſioners by the ſaid Lord High Treaſurer or Commiſſioners of the Treaſury, for the Purpoſes of the ſaid recited Act, in Manner and under the Regulations mentioned and contained in the ſaid recited Act.

Proceedings in caſe of Failure of Payments of Inſtalments.

VI. And be it further enacted, That in caſe Default ſhall be made in the Raiſing or Payment of the ſaid Inſtalments, or Sum or Sums of Money, or any of them, by the ſaid Pariſh or Place, or by the ſaid Churchwardens, to the ſaid Truſtees and Commiſſioners of Firſt Fruits, and any ſuch Inſtalment or Sum or Sums of Money ſhall be behind and unpaid, and not duly raiſed, paid, and ſatisfied to the ſaid Truſtees and Commiſſioners, before the Expiration of Twenty-one Days after the Firſt Day of *July*, in any Year wherein the ſame ought to be ſo paid as aforeſaid; it ſhall and may be lawful for the Biſhop of the Dioceſe in which ſuch Pariſh or Place ſhall be ſituate, and he is hereby authorized and required to nominate and appoint ſome fit and proper Perſon or Perſons to levy ſuch Inſtalment or Sum or Sums of Money as ſhall be ſo due and unpaid, together with Intereſt for the ſame, at and after the Rate of Six Pounds *per Centum per Annum*, from the Day on which the ſame ought to have been paid, until the ſame ſhall be actually paid, and a further Sum after the Rate of Ten Pounds *per Centum* on the Amount of ſuch Inſtalment, or Sum of Money ſo payable, which ſaid Sum after the Rate of Ten Pounds *per Centum*, ſhall and may be received and retained by ſuch Perſon or Perſons ſo to be nominated and appointed, for his or their Pains and Trouble, in levying and recovering of the ſaid Inſtalment, and all and every Perſon or Perſons who ſhall be ſo nominated and appointed for the Purpoſe aforeſaid, ſhall have, uſe, and exerciſe, all ſuch Powers and Authorities, for the levying and raiſing ſuch Inſtalment, and Sum and Sums of Money, as the Churchwardens of ſuch Pariſh or Place, or any other Perſon or Perſons lawfully might or could have, uſe, and exerciſe, for the levying and raiſing ſuch Inſtalment, or any Pariſh Rate or Aſſeſſment under this Act, or any other Act or Acts, and ſuch Perſon or Perſons ſhall pay over and account for all ſuch Inſtalments, and all Sum and Sums of Money received by them on account of the ſame, or of the Intereſt of the ſame as aforeſaid, to the ſaid Commiſſioners and Truſtees, within Twenty-one Days after the Receipt of the ſame, by ſuch Perſon or Perſons as aforeſaid.

Perſons may be diſcharged from Bond on Application to the Church-wardens, &c.

VII. And be it further enacted, That if at any Time after the paſſing of this Act any Perſon or Perſons who ſhall have given or entered into any Bond under the ſaid recited Act for the Re-payment of any Sum of Money advanced at any Time before the paſſing of this Act by the ſaid Truſtees and Commiſſioners of Firſt Fruits to any Pariſh or Place, for the erecting or rebuilding of any Church or Chapel, or the Heirs, Executors, or Adminiſtrators of any Perſon or Perſons who ſhall have entered into ſuch Bond, ſhall be deſirous to be freed and diſcharged from ſuch Bond, and the Penalties thereof, it ſhall and may be lawful for ſuch Perſon or Perſons, his or their Heirs, Executors, or Adminiſtrators, by and with the Conſent and Approbation of the ſaid Truſtees and Commiſſioners of Firſt Fruits to make Application to the Churchwardens of the Pariſh or Place in whoſe Behalf ſuch Money ſhall have been advanced, and thereupon it ſhall be lawful for ſuch Churchwardens, and they are hereby authorized,

authorized, empowered, and required to call a Veſtry in Manner aforeſaid; and it ſhall be lawful for ſuch Veſtry to make an Aſſeſſment for the Repayment of the whole Sum or Sums of Money which at the Time of ſuch Application ſhall remain to be raiſed in Diſcharge of ſuch Bond, ſuch Sum to be raiſed and levied by Yearly Inſtalments of Six Pounds *per Centum* and Four Pounds *per Centum* on the Whole of the original Sum advanced in like Manner as is herein-before required with reſpect to the Sums to be advanced after the paſſing of this Act, and upon ſuch Aſſeſſment being made and certified by the ſaid Churchwardens to the ſaid Truſtees and Commiſſioners of the Firſt Fruits, it ſhall be lawful for the ſaid Truſtees and Commiſſioners, and they are hereby authorized, empowered, and required with reſpect to all ſuch Bonds as ſhall have been given to them the ſaid Truſtees and Commiſſioners, to order and cauſe the ſame to be cancelled and vacated; and in caſe any Judgement ſhall have been entered on ſuch Bond, then to order Satisfaction to be entered thereon, and with reſpect to all ſuch Bonds as ſhall have been given to His Majeſty, His Heirs and Succeſſors, under the Proviſions of the ſaid recited Act, it ſhall be lawful for the ſaid Truſtees and Commiſſioners, and they are hereby required on Receipt of the Certificate of ſuch Aſſeſſment having been made as aforeſaid, to certify the Lord High Treaſurer, or Commiſſioners of the Treaſury thereof, and thereupon it ſhall be lawful for the ſaid Lord High Treaſurer or Commiſſioners of the Treaſury to order and cauſe ſuch Bonds to be cancelled and vacated, and Satisfaction entered in Manner aforeſaid, ſo that in either Caſe the Perſon or Perſons having given any ſuch Bonds, his Heirs, Executors, and Adminiſtrators ſhall be wholly freed and diſcharged from ſuch Bond, and from any Judgement thereon, and from the Payment of any Sum of Money whatever remaining due thereon; and all ſuch Aſſeſſments ſhall be of the like Force and Effect, and the Money charged on any Pariſh or Place thereby, ſhall be recovered, levied, and applied in like Manner as in caſe of other Aſſeſſments under the Proviſions of the ſaid recited Act and this preſent Act, to all Intents and Purpoſes whatſoever.

The Lord Lieutenant may direct the Treaſury to borrow 50,000l. for building and rebuilding Churches, &c.

VIII. And be it further enacted, That it ſhall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, from Time to Time to direct the Commiſſioners for executing the Office of Lord High Treaſurer of *Ireland*, to raiſe and borrow by Treaſury Bills, at an Intereſt of Five Pounds *per Centum*, any Sum or Sums of Money, not exceeding in the Whole the Sum of Fifty thouſand Pounds, to be paid to the ſaid Commiſſioners and Truſtees of Firſt Fruits to be by them applied in Loans towards the building or re-building of Churches and Chapels in *Ireland*, in ſuch Manner as ſhould be directed by Parliament, and the ſaid Sum of Fifty thouſand Pounds ſhall be and the ſame is hereby granted to and veſted in His Majeſty, to be applied from Time to to Time to the Purpoſes of the ſaid recited Act of the Forty-eighth Year aforeſaid, and this Act; and that, for the raiſing of the ſaid Sum of Fifty thouſand Pounds, it ſhall and may be lawful for the Commiſſioners for executing the Office of Lord High Treaſurer of *Ireland* for the Time being, in conſequence of any ſuch Direction from the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to raiſe and borrow ſuch Part of the ſaid Sum of Fifty thouſand Pounds as ſhall or may be neceſſary from Time to Time by the Iſſue of Treaſury

Bills for that Purpoſe, bearing Intereſt at a Rate not exceeding Five Pounds *per Centum per Annum*, and that the ſaid Sum of Fifty thouſand Pounds, or ſo much thereof as ſhall from Time to Time be raiſed and borrowed as aforeſaid, ſhall be applied to the Purpoſes of the ſaid recited Act, and this Act, and ſhall and may be iſſued and paid by the ſaid Commiſſioners for executing the Office of Lord High Treaſurer of *Ireland*, to the ſaid Truſtees and Commiſſioners of Firſt Fruits, to be by them applied in Loans towards the building and rebuilding of Churches and Chapels in *Ireland*, according to the Rules, Directions, Proviſions, Regulations, and Reſtrictions contained in the ſaid recited Act of the Forty-eighth Year aforeſaid, and this Act.

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