ANNO QUINTO

GEORGII IV. REGIS.

C A P. XXXVI.

An Act to amend and render more effectual the several Acts for the issuing of Exchequer Bills for Public Works. [17th *May* 1824.]

WHEREAS an Act was made in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, *in manner therein mentioned*, 57 G.3. c.34. which said recited Act was amended by an Act made in the same Session of Parliament; 57 G.3. c.124. and the said Two Acts were further amended, and the Powers of the Commissioners under the said Acts extended, by an Act made in the First Year of the Reign of His present Majesty, 1 G.4. c.60. and were further amended by an Act made in the Third Year of the Reign of His present Majesty, 3 G.4. c.86. whereby a further Issue of Exchequer Bills was authorized for the Purposes of the said Acts: And whereas it is expedient that the Provisions of the said several Acts should

be further extended, for the Purposes and in manner herein-after mentioned: 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 it shall and may be lawful for the Churchwardens or Chapelwardens and Overseers of the Poor of any Parish in *England* or *Wales*, with the Consent of the major Part of the Inhabitants and Occupiers assessed to the Relief of the Poor, in Vestry assembled, or where any Parish shall be under the Care and Management of any Select Vestry or other Select Body, then with the Consent of not less than Four-fifths of such Select Vestry or other Select Body, by whatever Name the same may be called, and with the Consent of the Bishop of the Diocese and the Incumbent of such Parish, to make Application to the Commissioners authorized and empowered to make Advances for Public Works under the Provisions of the said recited Acts, for any Loan or Advance under the Powers, Authorities, Provisions, and Regulations of the said Acts and this Act, of such Sum or Sums in Exchequer Bills or Money as shall be necessary for defraying the Expence or any Part of the Expence of rebuilding, repairing, enlarging, or otherwise extending the Accommodation in any Church or Chapel of any such Parish, or of any District or Division thereof respectively; and if such Commissioners shall think fit to entertain such Application, and shall be satisfied that such Consent as required by this Act has been given and obtained, it shall and may be lawful for such Commissioners, and they are hereby authorized and empowered to make and grant any such Loan or Advance for the Purposes aforesaid, in such Manner as such Commissioners are empowered to make any Loan or Advance under the Authority of the said recited Acts, or any of them; and it shall be lawful for such Churchwardens or Chapelwardens, together with the Overseers of the Poor of or for any such Parish, with respect to which such Application shall be made and granted, to receive the Sum or Sums so advanced, and to apply the same for the Purposes mentioned in such Application; and from and after the Grant of any such Loan or Advance it shall be lawful for the Churchwardens or Chapelwardens and the Overseers of the Poor of the Parish in respect of which such Loan or Loans shall be advanced as aforesaid, and their Successors, from Time to Time for the Time being, and they are hereby authorized and required to make such Annual or Half-yearly Rates for the Repayment of the Sums so advanced, in such Proportions and at such Times as shall be directed and appointed by the said Commissioners in that Behalf, and to assign the Rates so to be made as aforesaid as a Security for the Repayment of the Sums so advanced, in such Manner and Form as the said Commissioners shall direct and appoint, and so as to secure the Repayment of all Sums so advanced, with Interest thereon, at and after the Rate of Four Pounds *per Centum per Annum*, by Annual or Half-yearly Instalments, on the Amount of the Principal Money advanced within the Period of

Churchwardens, &c. with Consent of Vestry may apply to Commissioners authorized to make Advances for Public Works for such Loan as shall be necessary for rebuilding or repairing the Parish Church.

Rates to be made for Repayment of the Loan with Interest at Four per Cent. within 20 Years.

Twenty Years at farthest from the advancing of any such Sums respectively.

Such Rates to be levied as Church Rates may by Law be levied.

II. And be it further enacted, That it shall be lawful for any Churchwarden or Chapelwarden or Overseer of or in any Parish or District, or Division of any Parish, in which any Rates shall be made under the Provisions of this Act, to collect, demand, and receive, sue for, levy, and recover all such Rates by all such Ways and Means as any Church Rates may by Law be collected, demanded, received, sued for, levied and recovered, as fully and effectually as if all Powers, Authorities, Provisions, Penalties, and Forfeitures relating to the collecting, demanding, suing for, levying, receiving, and recovering of any Church Rates, or relating to any Refusal to pay any like Rates, were specially repeated and enacted in this Act; any Law, Statute, Usage, or Custom to the contrary notwithstanding.

Where Churchwardens, &c. are authorized to levy Rates for building a new Church, they may apply to such Commissioners for a Loan to be repaid in 20 Years with Interest at Four per Cent.

III. Provided always, and be it enacted, That whenever in any Parish in *England* or *Wales*, any Churchwardens and Overseers of such Parish, or any Vestry, or any other Persons, shall, under or by virtue of any Act or Acts specially applicable to such Parish, be authorized and empowered to make and levy any Rates for defraying the Expence of the building of any new Church or Chapel in any such Parish, it shall and may be lawful for the Churchwardens or Overseers of such Parish, or any of the Persons authorized to make and levy such Rates, to apply to the Commissioners for the Execution of the said recited Acts, for any Loan or Advance for or towards the building such new Church or Chapel in such Parish; and it shall be lawful for such Commissioners to grant any such Loan or Advance upon the Security of such Rates, provided such Rates shall be sufficient to secure the Repayment of any Sum so advanced, with Interest after the Rate of Four Pounds *per Centum per Annum*, within the Period of Twenty Years from the Date of such Advance; and the Repayment of such Loan or Advance, with such Interest as aforesaid, within the said Period of Twenty Years, shall be secured by Mortgage or Assignment of such Rates in such Manner and Form as such Commissioners shall think proper to direct; any thing in any other Act or Acts relating to the building, rebuilding, or repairing of Churches or Chapels to the contrary in anywise notwithstanding.

Loans may be made in like manner to Colleges in the Universities of Oxford or Cambridge for increasing the Number of Apartments for Students, on Application

IV. And whereas Applications have been made to the Commissioners for the Execution of the said recited Acts, for Advances to be made to certain Colleges for the Purpose of enabling them to increase the Number of Apartments for Students within such Colleges respectively, so as to avoid the Necessity of many Students having Lodgings out of such Colleges; but Doubts are entertained whether the said Commissioners are authorized to make Advances for such Purposes, and whether such Colleges can give any adequate Security for the Repayment of such Advances under the Provisions of the said recited Acts; be it therefore enacted, That from and after the passing

to the Commissioners, and the Profits of such Apartments shall be mortgaged for the Repayment within 20 Years with Interest at Four per Cent.

passing of this Act, upon any Application on behalf of any College or Hall in either of the Universities of *Oxford* or *Cambridge*, made in Writing under the Common Seal of such College or Hall, (duly affixed by the Authority of such Person or Persons as may for the Time being be empowered, by the Statutes of any such College or Hall respectively, to use or affix such Common Seal to Leases or other Deeds or Instruments in Writing), it shall be lawful for the Commissioners for the Execution of the said recited Acts, and such Commissioners are hereby authorized and empowered to make any Loan or Advance under the Powers, Authorities, Provisions, and Regulations of the said recited Acts, of any Sum or Sums in Exchequer Bills or Money for the building, rebuilding, enlarging, improving, or fitting up any such additional or existing Rooms, Buildings, and Offices as may by such Commissioners be deemed requisite and necessary for the Purpose of increasing the Accommodation of the Students of any such College or Hall respectively, in like Manner in every respect as if such Colleges and Halls had been included in the Provisions of the said recited Acts, or any of them; and it shall be lawful for the Treasurer, Bursar, or other proper Officer of any such College or Hall to receive any Sums so advanced for the Purposes aforesaid; and it shall be lawful for the proper Officers or Members of any such College or Hall respectively, and they are hereby authorized and required, under the Common Seal of any such College or Hall respectively, to mortgage, assign, and make over the Rents and Profits which shall arise from such additional or existing Rooms so to be built, rebuilt, enlarged, improved, and fitted up, or to mortgage, assign, and make over any other Rents, Revenues, or Receipts which shall be payable and belonging to any such College or Hall respectively, or any Part of the same, to such Person or Persons, and in such Manner and Form as the said Commissioners shall direct and appoint, so as to secure the Repayment of all Sums so advanced for such Purposes, with Interest thereon at the Rate of Four Pounds *per Centum per Annum*, by Annual or Half-yearly Instalments, on the Principal Money advanced, within the Period of Twenty Years at farthest from the advancing thereof, or at such Times not exceeding the said Period of Twenty Years, and in such Manner as the said Commissioners shall think fit to appoint; and all such Mortgages and Assignments shall be good and effectual in the Law, and binding on the said Colleges and Halls entering into the same, and their Successors, as Bodies Corporate; any Charter, Statute, Law, Rule, or Regulation of or relating to any such College, or any general or particular Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Act not to empower Colleges to mortgage their Revenues otherwise than to

V. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to grant to any College or Hall, to which any such Advances shall be made under the Authority of this Act, any Power or Authority whatsoever to mortgage or pledge the Rents, Revenues, or Receipts of any such

College or Hall, otherwise than to the said Commissioners for the Execution of the said recited Acts, in the Manner and for the Purposes in this Act mentioned and specified.

the Commissioners for the Purposes herein-mentioned.

VI. And whereas some of the Commissioners named and appointed in and by the said recited Act of the Third Year of His present Majesty's Reign, have not yet qualified by taking the Oath by the said Act prescribed to be taken by the said Commissioners respectively, and Doubts have arisen as to the Persons now authorized to administer such Oath; be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful for any Two Commissioners who have been sworn under the Provisions of the said last recited Act, to administer the said Oath to any of the said Commissioners who have not yet taken the said Oath; any thing in the said recited Act contained to the contrary notwithstanding.

Two Commissioners may administer the Oath required by 3 G. 4. c. 86. to those who have not already taken it.

VII. And be it further enacted, That any and every Loan or Advance granted and made under the said recited Acts, or any or either of them, or this Act, or under an Act made in the Fourth Year of the Reign of His present Majesty, intituled *An Act to authorize the Advance of Money by the Commissioners under several Acts, for the Issue of Exchequer Bills for Public Works, for building, rebuilding, enlarging, or repairing of Gaols in* England, or under this present Act, shall be subject to all the Powers, Provisions, Limitations, Regulations, and Conditions for the Grant and the Recovery of any Loan or Advance contained in and in force under the said recited Acts or any of them, except only so far as the Powers, Provisions, Limitations, Regulations, and Conditions of the said recited Acts or any of them are repealed or altered or extended by each other, or by this present Act; and that the said Commissioners shall have all such Powers and Authorities for the Purpose of recovering or compelling Payment of any Loan or Advance made by the said Commissioners under the said recited Acts or any of them, or under this Act, as are given to the Commissioners appointed by the said recited Acts or any of them, in respect of any Loan or Advance under the said recited Acts or any of them, or in respect of any Default in the Payment of any such Loan or Advance; and that all and every the Clauses and Provisions in the said recited Acts or any of them contained and in force for the Regulation of the said Commissioners, in or relating to the Grant of any Loan or Advance, and for the Recovery and Receipt of any Loan or Advance when due and payable, and for exempting Mortgages, Assignments, and other Instruments and Writings from being liable to any Stamp Duty, or otherwise howsoever, shall extend and be construed to extend to all Loans and Advances respectively under the said recited Acts or any of them, or under this Act, and shall be of the like Force and Effect as if such Clauses and Provisions were particularly repeated and re-enacted in the Body of this Act.

Loans subject to Regulations of recited Acts and 4 G. 4. c. 63., and Commissioners shall have Power to recover Payment, &c.

Act may be altered this Session.

VIII. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this Session of Parliament.

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