ANNO SEPTIMO

GEORGII IV. REGIS.

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C A P. XXX.

An Act to amend the several Acts for authorizing Advances for carrying on Public Works, and to extend the Provisions thereof in certain Cases.

[5th *May* 1826.]

WHEREAS an Act was passed 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* 57 G.3. c.34.
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:* And whereas another Act was passed in the same Session of Parliament to amend the said recited Act: And whereas the said recited Acts have been amended, and the Powers thereof extended by several Acts passed in the Fifty-eighth Year of His said late Majesty, and in the First, Third, Fourth, Fifth, and Sixth Years of the Reign of His present Majesty; and it is expedient to make Provision for extending the Benefit of the said Acts in certain Cases: And whereas an Act was passed in the last Session of Parliament, intituled *An Act to amend the Laws relating to* 6 G.4. c.16.
Bankrupts; and Doubts have arisen how far certain Provisions of the said recited Act of the Fifty-seventh Year of His said late Majesty's Reign, and the several Acts for amending the same, may be affected by the said last recited Act of the last Session of Parliament; be it therefore declared and 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 the said recited Act of the last Session of Parliament for amending the Laws relating to Bankrupts, or any Clause, Matter, or Thing therein contained, shall

The Powers given to the Commissioners under

the recited Act 57 G. 3. c. 34. for enforcing the Payment of Advances made by them, not to be abridged, in Cases of Bankruptcy, by the Provisions of 6 G. 4. c. 16.

shall not extend, or be deemed or construed to extend, to repeal, alter, or abridge any Powers, Clauses, Provisions, or Regulations, for the Purpose of enabling the Commissioners for the Execution of the said recited Act of the Fifty-seventh Year of His late Majesty's Reign, or of any Act or Acts for amending or extending the said Act of the said Fifty-seventh Year, to enforce Payment of any Loan or Advance made by them, in case of the Bankruptcy of any Party or Parties to whom such Loans or Advances have been or shall be made, or in case of the Bankruptcy of the Sureties of any such Parties respectively; but that all such Powers, Clauses, Provisions, and Regulations, contained in the said recited Act of the Fifty-seventh Year of His said late Majesty's Reign, or in the several Acts for altering or amending the same, or in any of them, shall remain and continue in full Force and Effect, any thing in the said Act of the last Session of Parliament for amending the Laws relating to Bankrupts in anywise notwithstanding.

3 G. 4. c. 86. 6 G. 4. c. 35.

II. And whereas by an Act passed in the Third Year of His present Majesty's Reign, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts;* and also by an Act made in the Sixth Year of His present Majesty's Reign, intituled *An Act to render more effectual the several Acts for authorizing Advances for carrying on Public Works, so far as relates to* Ireland; the Commissioners for the Execution of the said recited Acts are directed to take Interest at the Rate of Four Pounds *per Centum per Annum*, upon any Advances to be made by them under and by virtue of the said Acts, and the several Acts therein recited or referred to: And whereas it is expedient that from and after the passing of this Act the said Commissioners should be authorized and empowered to take and charge Interest at the Rate of Five Pounds *per Centum per Annum* upon all Advances made by them in *Great Britain* or *Ireland;* be it therefore enacted, That from and after the passing of this Act it shall be lawful for the said Commissioners, and they are hereby authorized and required, to take Interest at and after the Rate of Five Pounds *per Centum per Annum* on any Loans or Advances to be made by them, either in *Great Britain* or *Ireland*, at any Time after the passing of this Act; any thing contained in the said recited Acts to the contrary thereof in anywise notwithstanding.

Commissioners to take 5*l.* per Cent. Interest on future Loans.

Nothing in this Act to affect the Powers of 5 G. 4. c. 77. as amended by 6 G. 4. c. 35.

III. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to alter, lessen, or abridge the Powers given to or vested in the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, by an Act passed in the Fifth Year of His present Majesty's Reign, intituled *An Act to amend the Acts for the Issue of Exchequer Bills for Public Works*, as explained and amended by the said recited Act of the Sixth Year of His Majesty's Reign, to reduce the Rate of Interest in the Manner and under the Circumstances in the said Acts particularly stated and referred to.

IV. And

Commissioners may lend to any Archbishop or Bishop in Ireland for purchasing Lands or Houses, or for building or improving Houses of Residence.

IV. And whereas it is expedient to extend the Provisions of the said recited Act of the Sixth Year of His present Majesty's Reign, for rendering more effectual the several Acts for authorizing Advances for carrying on Public Works, so far as relates to *Ireland*, and to enable the said Commissioners for the Execution of the said Act to make Advances in *Ireland* to any Archbishop, Bishop, or other Ecclesiastical Person, for providing suitable or more convenient Residences; be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful for the Commissioners for the Execution of the said recited Act, upon Application in Writing being made to them in that Behalf, by any Archbishop or Bishop, or other Ecclesiastical Person in *Ireland*, to lend and advance to such Archbishop or Bishop, or other Ecclesiastical Person, out of the Sum of Three hundred thousand Pounds, by the said Act authorized to be issued out of the growing Produce of the Consolidated Fund of the United Kingdom arising in *Ireland*, such Sum or Sums of Money as the said Commissioners shall think fit, for the Purpose of purchasing, within the Diocese or Benefice of any such Archbishop, Bishop, or other Ecclesiastical Person, any Land upon which any House or Houses, or Offices or other Buildings, have been already built, with Conveniences thereto belonging; or any Land fit for building a House, Offices, and Conveniences thereon, for the Habitation and Residence of any such Archbishop, Bishop, or other Ecclesiastical Person, and their respective Successors for ever, or any Land, Tenements, or Hereditaments, for the Purpose of repairing, enlarging, or improving any House or Houses, Outhouses, Gardens, or Orchards, of or belonging to the Demesne, glebe or mensal Land, or any other Lands, of such Archbishop, Bishop, or other Ecclesiastical Person, or for otherwise providing suitable or more convenient Residences for any such Archbishop, Bishop, or other Ecclesiastical Person respectively, having regard, in considering all such Applications, to the clear yearly Value of the Archbishopric, Bishopric, or other Benefice, for which such Houses and Lands are intended to be purchased, built, repaired, or enlarged as aforesaid, and the Advantages to be derived from the same to such Archbishopric, Bishopric, or other Benefice as aforesaid, and also to the Sufficiency of the Security proposed for the Repayment of the Money advanced.

Commissioners to take Mortgage of Revenue of Archbishops, &c. for securing Repayment within Twenty Years with Interest.

V. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required to take from any such Archbishop, Bishop, or other Ecclesiastical Person, a Mortgage or Charge on the Revenue and Receipts of any Archbishopric, Bishopric, or other Benefice, to secure the Repayment of the Amount of any Sum advanced under the Authority of this Act, by Instalments of sufficient Amount in the whole to repay the Principal Money advanced within the Period of Twenty Years from the Date of the said Advance; and the first of which Instalments shall commence and be payable within the Period of Five Years at farthest from the Date of such Advance, with Interest at the Rate of Five Pounds *per Centum per Annum* on the Principal from Time to Time remaining due; and it shall be lawful for any such Archbishop, Bishop, or other Ecclesiastical Person, and he and they is and are hereby severally and respectively authorized and required to

Archbishops, &c. empowered to mortgage.

mortgage, charge, assign, and make over their respective Revenues and Receipts to the Secretary for the Time being of the said Commissioners, in such Manner and Form as the said Commissioners shall direct or appoint; and all such Mortgages, Charges, Assignments, and Securities, shall have Priority over and shall precede all other Securities on such Revenues and Receipts, except such as may have been entered into and may be chargeable thereon at the Date of such Advance; and shall be binding upon the respective Successors of every such Archbishop, Bishop, or other Ecclesiastical Person, until the whole of the Monies advanced, with Interest thereon, shall be fully paid and satisfied; any thing contained in any Act or Acts passed in the Parliament of *Ireland*, or in the Parliament of the United Kingdom of *Great Britain* and *Ireland*, or any Law, Usage, or Custom to the contrary in anywise notwithstanding.

Such Mortgages to have Priority, and to be binding on their Successors.

Loans under this Act to be subject to Provisions of former Acts.

VI. And be it further enacted, That any and every Loan or Advance which shall be granted and made under this present Act, shall be subject to all the Powers, Provisions, Limitations, Regulations, and Conditions for the Grant, Security, or Recovery of any Loan or Advance contained in and in force under the said recited Act of the Fifty-seventh Year of the Reign of His said late Majesty, and the several Acts for altering, amending, or extending the same, or any of them, 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 under the Certificate of the said Commissioners for the Purposes of this Act, as are given to the said Commissioners by the said Acts or any of them, in respect of any Loan or Advance in *Great Britain*, under the said 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 granting of any Loan or Advance in *Great Britain*, and for the Repayment, Recovery, and Receipt of any such 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 this Act, and to the Payment and Recovery thereof in *Ireland*, and shall be of like Force and Effect, and shall be applied and put in execution in *Ireland*, as if the said Clauses and Provisions had, by the said recited Acts, been extended to *Ireland*, and as if such Clauses and Provisions were particularly repeated and re-enacted in the Body of this Act, except only so far as the same are altered by this present Act.

Act may be altered this Session.

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

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