CAP. LXX.

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. [31st *July* 1854.]

'WHEREAS by an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, Cap. 59., after reciting, amongst other things, that His Majesty 1 W. 4. c. 59.
'was seised to Him, His Heirs and Successors, of all those Three several Chapels called
'respectively by the Names of *Portland* Chapel, *Oxford* Chapel, and *Welbeck* Chapel, and
'the Ground whereon the same respectively stood, situate in the Parish of *Saint Marylebone*
'in the County of *Middlesex*, and that Divine Service had for several Years past been
'performed in the said Chapels by Curates or Ministers duly licensed for that Purpose,
'although none of the said Chapels had been appropriated or consecrated, it was by the said
'Act enacted, that the said Chapel called *Portland* Chapel, and the said Chapel called
'*Oxford* Chapel, and the Ground and Soil whereon the same respectively stood, and all
'Rents, Profits, and Produce to arise and become payable in respect of the said Two
'Chapels, with the Appurtenances, should be and that the same were thereby vested in
'*William* Viscount *Lowther*, First Commissioner of His Majesty's Woods, Forests, and
'Land Revenues, and in the Reverend *George Chandler* Doctor of Laws, Rector of the
'District Church of *All Souls* in *Saint Marylebone*, and their respective Successors in the
'said Office and District Rectory, as a Body Corporate, and that the said Chapel called
'*Welbeck* Chapel, situate in *Westmoreland Street* in the said Parish, and the Ground
'and Soil whereon the same stood, and all Rents, Profits, and Produce to arise and
'become payable in respect of the same Chapel, with the Appurtenances, should be
'and the same were thereby vested in the said *William* Viscount *Lowther*, as such
'Commissioner as aforesaid, and the Reverend *John Hume Spry* Doctor in Divinity, Rector
'of the Parish of *Saint Marylebone* aforesaid, and their respective Successors in the said
'Office and Rectory, as a Body Corporate, to the Intent that after Consecration of the
'said Three Chapels respectively Divine Service according to the Rites of the United
'Church of *England* and *Ireland* should be performed therein as therein is mentioned; and
'after making Provision for the Appropriation of certain Seats in the said Chapels, and for
'the letting certain other Pews and Seats in the said Chapels at such Rents as in the
'said Act referred to, it was by the said Act now in recital further enacted, that the said
'Trustees should keep separate Accounts of what should be received in respect of the said
'Rents so to be reserved as aforesaid on Leases of the Pews and Seats in the said Three
'Chapels respectively, so that the Rents to be reserved in respect of each of the said Chapels
'might be applied as therein-after mentioned for the exclusive Benefit of such Chapels
'respectively; and it was declared, that the said Trustees for the Time being of the said
'Chapels respectively should, by and out of the Rents and Profits to be payable for the Time
'being in respect of the said Seats or Pews, subject to such Payments as therein is mentioned,
'by and out of the said Rents and Profits, pay or cause to be paid to Persons therein
'mentioned respectively, or other the Curates or Ministers for the Time being of the said
'Chapels respectively, such annual Sums by way of Salaries or Stipends for their Services,
'not exceeding in the first instance the Sum of Three hundred and fifty Pounds for each
'Curate or Minister, but with Power for the Trustees for the Time being of the said Chapels
'respectively, either for a limited Period or permanently, but with the Consent of the Lord
'Bishop of *London* for the Time being, to increase such annual Salaries to any Sum not exceeding
'Four hundred and fifty Pounds for any of such Curates or Ministers, in case the Trust Funds
'or Monies should in the Opinion of the said Trustees authorize such Increase to any One
'or more of the said Curates or Ministers; and subject to such Payments as therein
'is mentioned, the said Trustees were directed to invest the Residue of the Rents and
'Profits to arise from letting the said Pews or Seats within the said Three Chapels
'respectively in the Purchase of Three Pounds *per Cent.* Consolidated Bank Annuities in
'the Names of the said Trustees for the Time being of the said Chapels respectively, and
'should receive the Interest and Dividends of such Bank Annuities, and the Interest and
'Dividends of the Bank Annuities to be purchased as after mentioned, and invest the same

'from

'from Time to Time in the Purchase, in their Names, of like Bank Annuities, to the Intent 'that such several Bank Annuities might accumulate; and it was by the said Act now in 'recital further enacted, that the said several Bank Annuities so to be purchased as last 'aforesaid should be held by the said Trustees respectively for the Time being in such 'Shares as should appear to have resulted from the Surplus of the Rents and Profits arising 'from the Seats, Pews, Vaults, and Cellars of such Chapels respectively, as a Fund by Sale or 'Transfer whereof to raise Money from Time to Time for defraying the Costs and Expenses 'of such rebuilding or repairing of the said Chapels, and the Furniture and Chattels therein, 'as in the said Act mentioned, with the Proviso that if at any Time or Times it should 'happen that the Rents and Profits payable in respect of the said Seats or Pews should be 'insufficient to discharge the annual or other Payments therein-before directed to be made 'thereout respectively, together with the Costs, Charges, and Expenses of the Trustees for 'the Time being in the Execution of the Trusts therein-before declared, it should be lawful 'for the respective Trustees for the Time being of the said Bank Annuities, by and out of 'the Dividends, or by Sale and Transfer of a competent Part of the Capital thereof that 'should be held in trust for the Chapel the Rents and Profits of which should be so 'insufficient as aforesaid, to levy and raise from Time to Time such a Sum or Sums of Money 'as should enable them to satisfy and discharge the Deficiency, and to apply the Sum or 'Sums of Money so to be levied in Payment of such Deficiency accordingly: And whereas 'it is expedient that the Trustees of the said Chapels, acting under the Trusts and Powers 'of the said Act, should be empowered to increase the Salaries of the Ministers of the said 'Chapels respectively as herein-after mentioned:' Be it therefore enacted by the Queen'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:

Power to Trustees to augment Salaries of Incumbents.

I. Whenever the Rents and Profits of any of the said Three several Chapels shall have afforded a surplus Residue for Investment as aforesaid of not less than Two hundred Pounds in each Year for Three successive Years during the Incumbency of any Curate or Minister in such Chapel, after satisfying all the Payments charged thereon under the above-mentioned Act, including a Salary of Four hundred and fifty Pounds to such Curate or Minister, the Trustees respectively for the Time being of the said Chapels respectively shall and may at any Time or Times hereafter, at their Discretion, with the Consent of the Lord Bishop of *London* for the Time being, augment the Salaries or Salary of all or any of the Curates or Ministers of the said Chapels respectively by and out of the Funds and Premises by the said Act applicable to the Payment of the Salaries of the said Curates or Ministers, by allowing them any Sum not exceeding One Half of any surplus Residue which may accrue in any succeeding Year of such Incumbency: Provided nevertheless, that the Salary of any of the said Curates or Ministers shall not at any Time exceed the Yearly Sum of Six hundred Pounds; but no Augmentation shall be made to any Minister or Curate, except out of the Rents and Profits of the Chapel of which he shall be Minister or Curate, or of the Income of the Stock or Funds which may have arisen from the Investment of any surplus Rents or Profits arising from any such Chapel; and no Part of the said Stocks or Funds shall be sold for the Purpose of providing such augmented Salary; and any such Augmentation shall be made on such Trusts and under such Conditions as the said Trustees for the Time being, with the Consent of the Lord Bishop of *London*, shall think fit, and shall by any Deed or Deeds direct.

Meetings of the Trustees.

II. The Trustees respectively for the Time being of the said Chapels may hold their Meetings for the Purposes of this and the said recited Act either as by the said recited Act is provided, or at such Time of the Year, and such Place, and either within the said Parish of *Saint Marylebone* or within the City and Liberty of *Westminster*, as they from Time to Time may think fit.

The First Commissioner of Works to be a Trustee in the Place of the First Commissioner of Woods.

III. The First Commissioner for the Time being of Her Majesty's Works and Public Buildings shall be a Trustee of the said Chapels respectively jointly with the several Rectors thereof as Bodies Corporate, as by the said Act is provided with respect to the First Commissioner of Her Majesty's Woods, Forests, and Land Revenues and the said Rectors and their respective Successors, and such Parties shall be and continue Trustees

of the said Chapels in all respects as by the said Act is provided; and all the Stocks, Funds, Monies, and Securities now belonging to the Trustees respectively appointed by or pursuance of the said Act shall immediately after the passing of this Act be transferred and paid to the Trustees of the said Chapels respectively appointed by this Act, and be held by them on the Trusts by the said Act declared.

CAP. LXXI.

An Act to amend the Law concerning the making of Borough Rates in Boroughs not within the Municipal Corporation Acts. [31st *July* 1854.]

'WHEREAS by an Act of the Fifteenth and Sixteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Statutes relating to the Assessment and Collection of County Rates* in England *and* Wales, it was, among other things, provided, that from and after the passing of the said Act it should be lawful for the Justices of the Peace in any County in *England* and *Wales*, in General or Quarter Sessions assembled, to appoint any Number of Justices, not exceeding Eleven in Number nor less than Five, to be a Committee for the Purpose of preparing a Basis or Standard for the assessing of County Rates, and that it should be lawful for the Justices of the Peace assembled at their General or Quarter Sessions to order and direct a fair and equal County Rate to be made according to the Basis or Standard for the Time being in force: And whereas there are divers Boroughs not being within the Provisions of the Municipal Corporation Acts in which Borough Rates in the Nature of County Rates have heretofore been made under the various Acts repealed by the said Act of the Fifteenth and Sixteenth of Her Majesty, and which Boroughs have not as many as Five Justices of the Peace: And whereas Doubts have arisen whether since the passing of the said Act of the Fifteenth and Sixteenth of Her Majesty a Rate in the Nature of a County Rate can be made in such Boroughs by reason of the Want of a sufficient Number of Justices: And whereas it is expedient to remove such Doubts, as also to amend the Law in respect to the making of such Rates in the said Boroughs:' Be it therefore enacted by the Queen'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: 15 & 16 Vict. c. 81.

Justices in Boroughs not within Provisions of Municipal Corporations Act may make Borough Rates.

I. From and after the passing of this Act it shall and may be lawful for the Justices of the Peace in any Borough not being within the Provisions of the Municipal Corporation Act, and not being liable to contribute to any County Rate, from Time to Time to make and levy within their Borough a Borough Rate in the Nature of a County Rate for defraying any Expenses incurred before the passing of this Act, and which may hereafter be incurred for all or any of the Purposes defined in the Municipal Corporations Act, 1835, as Purposes for which a Borough Rate may be levied; and for that Purpose the Justices of such Borough and all Persons acting under their Authority shall, within their Borough, have all the Powers and Protection which were given to Justices of the Peace by virtue of the Act made in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third in the said Municipal Corporations Act mentioned, and all Powers given to Town Councils by any Acts since passed concerning the making and levying of Borough Rates in Boroughs being within the Municipal Corporations Act, 1835, or as near thereto as the Nature of the Case will admit: Provided always, that such Borough Justices shall not be empowered to hear or determine any Appeal against any such Rate; and if any Person shall think himself aggrieved by any such Rate, it shall be lawful for him to appeal to the Recorder of the Borough in which such Rate has been made, or in case there shall be no Recorder within such Borough then to the Justices at the next Court of Quarter Sessions for the County within which such Borough is situate, or whereunto it is adjacent, and such Recorder or Justices respectively shall have Power to hear and determine such Appeal, and to award Relief in the Premises as in the Case of an Appeal against any County Rate: and all Sums of Money levied in pursuance of such Borough Rate shall be paid over to the Treasurer of the Borough for the Time being, and be applied by him for the Purposes for which the same are applicable as herein-before mentioned.

As to Appeals.