ANNO QUARTO

GEORGII IV. REGIS.

Cap. xxxiv.

An Act to alter and amend Two several Acts passed in the Twenty-eighth and Thirtieth Years of His Majesty King *George* the Second, for the Purpose of enabling the Churchwardens, Overseers, and Inhabitants of the Parish of *Saint Saviour* in the Borough of *Southwark* in the County of *Surrey*, to hold a Market within the said Parish.

[23d *May* 1823.]

WHEREAS by an Act passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to enable the Churchwardens, Overseers, and Inhabitants of the Parish of* Saint Saviour *in the Borough of* Southwark *in the County of* Surrey, *to hold a Market within the said Parish, not interfering with the High Street in the said Borough*; it was (amongst other things) enacted, that certain Persons therein mentioned should be appointed Commissioners for the carrying the said Act into Execution, and that it should be lawful for the said Commissioners to enter upon a certain Piece of Ground therein mentioned in the said Parish of *Saint Saviour*, and set out such Parts as they should think fit for the Purpose of holding a Market therein; and that so soon as the said Ground should be set out as therein mentioned, it should be lawful for the Churchwardens and Overseers of the Poor of the said Parish of *Saint Saviour* for the Time being, together with Eleven of the most substantial Inhabitants, to be from Time to Time chosen and appointed by the Vestry of the said Parish, or any Seven or more of them, on the Behalf of themselves and the Rest of the Inhabitants of the said Parish, to purchase the said Ground and any Buildings erected thereon, and convert the same Ground into a Place for holding the said Market thereon, in Trust nevertheless for the Uses, Intents and Purposes therein-after enacted; and that the said Churchwardens, Overseers, and Inhabitants, or any Seven or more of them, should possess and enjoy the Right of holding the said Market for the Borough of *Southwark*, on the Ground which should be so purchased, and to receive and take the usual and accustomed Rents, Tolls, and Profits thereof as therein mentioned; and that it should be lawful for the said Churchwardens, Overseers, and Inhabitants, or any

28 G. 2. c. 23.

Seven or more of them as therein mentioned, to raise and borrow any Sum not exceeding in the Whole the Sum of Six thousand Pounds, for the Purposes therein mentioned, and that for discharging the Debt to be incurred by the Money so to be borrowed it should be lawful for any Persons to contribute and pay into the Hands of the said Churchwardens, Overseers, and Inhabitants, or any Seven or more of them, for the Uses therein-before mentioned, any Sum of Money not exceeding in the Whole the Sum of Six thousand Pounds, for the absolute Purchase of one or more Annuity or Annuities, to be paid during the natural Life of such Contributors respectively, or of such other Persons as therein mentioned, and upon the Terms and in manner in the said Act mentioned; and that all and every the Annuities so to be purchased under and by virtue of the said Act should be charged upon and payable from all Monies arising by the Rents and Profits of the Sheds, Stalls, Stands, and other Buildings and Erections to be set up in and upon the Ground to be set out and appointed for the Site of the Market by the said Act authorized to be held, and all other the Profits whatsoever arising or accruing by or from the said Market; and it was by the said Act enacted, that all the Lands, Tenements, and Hereditaments to be purchased by virtue and under the Authority of the said Act for the Site of the said Market, and all Sheds, Stalls, Stands, and other Erections to be built or set up thereupon, and the Rents and Profits arising from the same, should be and were thereby vested in the said Churchwardens, Overseers, and Inhabitants, and their Successors for ever, and that they should stand seised thereof in Trust for the several Uses, Intents and Purposes therein-after mentioned and declared concerning the same; (that is to say), the said Churchwardens, Overseers, and Inhabitants and their Successors, or any Seven or more of them, should, out of the first Monies to be borrowed or arising by granting Leases, or the Sale of Annuities, as in the said Act mentioned, or by any other Ways and Means under the Authority of the said Act, pay and discharge the reasonable Expences of obtaining and passing the said Act of Parliament; and should in the next Place pay off and discharge all Debts that should be incurred by the Purchase of the Ground whereon to erect the said Market, and all such Charges and Expences as should necessarily attend the erecting and constituting the same, and the Rents, Produce, and Profits arising thereby should be applied in paying the Annuity or Annuities to be granted to such Purchaser or Purchasers as in the said Act mentioned, so long as any of them should live, and all such Savings as should from Time to Time be made by the Death of any such Annuitants should, after the Discharge of all Debts accrued on account of the said Market, be vested in some of the Public Funds, or some other good and valid Security or Securities, and the Produce thereof, together with the Rents and Profits of the said Market after the Death of all such Annuitants, should be and remain an Estate for the Use and Benefit of the said Parish for ever, and should be applied in Diminution of any of the Parochial Rates or Assessments: And whereas by an Act passed in the Thirtieth Year of the Reign of His
30 G. 2. c. 31. said Majesty, intituled *An Act to explain, amend, and render more effectual the said herein-before in part recited Act*, a Power was given to the said Churchwardens, Overseers, and Inhabitants, or any Seven or more of them, to borrow any further Sum or Sums of Money, not exceeding in the Whole the Sum of Two thousand Pounds, for the Purposes of the said herein-before in part recited Act, on Annuity or Annuities which should be payable and sold in such Manner as the Annuities appointed to be purchased by the said herein-before in part recited Act are appointed to be paid and sold, and should be likewise charged upon the Rents and Profits of the Sheds, Stands, Buildings, and Erections upon the Ground set out and appointed for the Site of the said Market, and all other the

Profits of the said Market: And whereas the said Churchwardens, Overseers, and Inhabitants of the said Parish, in pursuance of the Powers granted to them by the said recited Acts, raised the Sums of Money by the said Acts authorized to be raised by a Sale of Annuities for the Lives of certain Persons, according to the Terms and Directions of the said Acts: And whereas the said Churchwardens, Overseers, and Inhabitants of the said Parish have, out of the Monies which have come to their Hands under or by virtue of the herein-before in part recited Acts, paid off and discharged all the Debts, Charges, Incumbrances, and Expences which have hitherto accrued and been incurred in carrying the Trusts of the said Acts into Execution, except Six of the Annuities so sold as aforesaid, and which now amount in the Whole to the yearly Sum of Four hundred and fourteen Pounds Five Shillings: And whereas the said Churchwardens, Overseers, and Inhabitants of the said Parish from Time to Time, in pursuance of the Directions in the said first recited Act, have invested the Surplus of the Monies and yearly Profits which came to their Hands under and by virtue of the said Acts in the Public Funds, and there is now standing in the Names of *James South* lately deceased, *Edward Sells*, and *William Brocksopp*, Gentlemen, as Trustees for the said Churchwardens, Overseers, and Inhabitants, the Sum of Thirteen thousand three hundred and two Pounds Four *per Cent.* Reduced Bank Annuities, being produced by such Investments: And whereas the yearly Dividends on the said Sum of Thirteen thousand three hundred and two Pounds Four *per Cent.* Reduced Bank Annuities, amounting to the Sum of Five hundred and thirty-two Pounds One Shilling and Seven-pence, exceed the Amount of the said Annuities so now payable aforesaid by the Sum of One hundred and seventeen Pounds Sixteen Shillings and Seven-pence or thereabouts: And whereas the Parochial Rates and Assessments payable by the Inhabitants of the said Parish of *St. Saviour's* in the Borough of *Southwark* are very burthensome: And whereas by reason of the Directions of the said first recited Act the Rents and Profits arising from the said Market, and the Hereditaments so as aforesaid vested in the aforesaid Churchwardens, Overseers, and Inhabitants of the said Parish, and the Surplus of the Dividends of the said Sum of Thirteen thousand three hundred and two Pounds Four *per Cent.* Reduced Bank Annuities, after paying the aforesaid Annuities so granted and so now payable, cannot, until the Death of all such Annuitants or other the Persons for whose Lives Annuities were so as aforesaid granted by the said Churchwardens, Overseers, and Inhabitants in pursuance of the Powers contained in the aforesaid Acts, be applied in Diminution of the Parochial Rates and Assessments of the said Parish: And whereas it would be greatly for the Benefit of the Inhabitants of the said Parish if the Dividends payable in respect of the said Sum of Thirteen thousand three hundred and two Pounds Four *per Cent.* Reduced Bank Annuities, and the Rents and Profits of the said Market should, after paying and satisfying the said Annuities, amounting together to the said Sum of Four hundred and fourteen Pounds Five Shillings, or such of them as shall from Time to Time continue payable, be applied in and towards the Reduction of the Rates and Assessments of the said Parish; but which cannot be done otherwise than by the Aid and 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, That the Churchwardens, Overseers, and Inhabitants of the said Parish of *St. Saviour* in *Southwark*, in whom the said Market, Buildings, Rents, Tolls, and Profits are so by the said first recited Act vested as aforesaid, and their Successors for ever, do and shall, on the Twenty-ninth Day of *September* next, and from thenceforth for ever on *Easter Tuesday*, and the

the Twenty-ninth Day of *September* in every Year, unless the Twenty-ninth Day of *September* shall fall on a *Sunday*, then on the Thirtieth Day of *September* in such Year, present to the Inhabitants of the said Parish, in Vestry assembled, a true and just Account of all and every the Rents and Annual Profits of the said Market, and of the Dividends of the said Sum of Thirteen thousand three hundred and two Pounds Four Pounds *per Centum* Reduced Bank Annuities, and of all other the Monies which shall yearly come to their Hands, under or by virtue of the said recited Acts or either of them, or of this present Act or otherwise; and also of all and every the Costs, Charges, Expences, and Disbursements of the said Churchwardens, Overseers, and Inhabitants, in respect of the said Market or the Management thereof, or otherwise; and that the said Churchwardens, Overseers, and Inhabitants shall cause the said Accounts to be duly entered in a Book to be kept in the Vestry Room, or in such other Place in the said Parish as they or any Seven of them shall appoint; and that it shall be lawful to and for any Person or Persons liable to the Payment of Rates and Assessments in the said Parish, at all seasonable Times, to have recourse to and inspect the same Book of Accounts, without Fee or Reward.

Directing the Application of the Profits of the Market Place, &c.

II. And it is hereby further enacted, That the said Churchwardens, Overseers, and Inhabitants, do and shall, from henceforth and at all Times hereafter, pay and apply the clear Nett Rents, Issues, and Annual Profits of the said Market, and all the Dividends and Annual Produce of the said Sum of Thirteen thousand three hundred and two Pounds Four *per Centum* Reduced Bank Annuities, and other the Monies which as aforesaid may come to their Hands in manner following; (that is to say), in the first Place thereout to pay the aforesaid Annuities, amounting to the Sum of Four hundred and fourteen Pounds Five Shillings, when and as the said Annuities shall from Time to Time become due, and according to the Directions and true Intent and Meaning of the said Two herein-before recited Acts, and subject as aforesaid thereout to pay all the reasonable Expences of applying for, obtaining, and passing this Act, and do and shall pay and apply all the Residue of the aforesaid Rents, Issues, Annual Profits, and Dividends, after answering and satisfying the Purposes aforesaid, in Diminution of all or any of the Parochial Rates or Assessments payable by the Inhabitants of the said Parish, or of any other Rates or Assessments payable by the Inhabitants of the said Parish, in such Manner as a Majority of the Inhabitants of the said Parish in Vestry assembled on *Easter Tuesday* and the Twenty-ninth Day of *September* in every Year shall direct, order, and appoint; but if the Twenty-ninth Day of *September* in any one Year shall happen on a *Sunday*, the Meeting in Vestry for such Year shall be held on the following Day.

Extending Provisions of former Acts to the present.

III. And be it further enacted, That all the Powers and Authorities, Penalties and Forfeitures, in the said in part recited Act contained, except such as are hereby particularly varied or altered, shall remain and be in full Force, and be executed for the Purposes of the said recited Acts and this Act, as fully and effectually as if the same were herein again repeated and re-enacted.

Public Act.

IV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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